

CRAIG H. MISSAKIAN
United States Attorney

450 Golden Gate Avenue, Box 36055
San Francisco, California 94102-3495
Telephone: (415) 436-7200
Fax: (415) 436-6748

BRETT A. SHUMATE
Assistant Attorney General
ERIC J. HAMILTON (CABN 296283)
Deputy Assistant Attorney General
DIANE KELLEHER
Branch Director
CHRISTOPHER HALL
Assistant Branch Director
MARIANNE F. KIES
CESAR E. AZRAK
Trial Attorneys
Civil Division, Federal Programs Branch

1100 L Street, NW
Washington, DC 20005
Telephone: (202) 353-1819
Marianne.F.Kies@usdoj.gov

Counsel for Defendants

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

AMERICAN FEDERATION OF
GOVERNMENT EMPLOYEES, *et al.*,

Plaintiffs,

v.

DONALD J. TRUMP, in his official capacity as
President of the United States, *et al.*,

Defendants.

No. 3:25-cv-03698-SI

**DEFENDANTS' ANSWER TO SECOND
AMENDED COMPLAINT (DKT. 270)**

Defendants hereby answer the claims of the Second Amended Complaint (Dkt. 270) (“SAC”) as follows.

PRELIMINARY STATEMENT

- A. The SAC contains purported references to documents and third-party publications and statements that have often been excerpted, paraphrased, characterized, and otherwise taken out of context. These documents and third-party publications and statements should be considered, if at all, in their entirety, in context, and in unmodified form.
- B. Except as otherwise expressly stated herein, the United States denies each and every allegation in the SAC—including any allegations in preambles, unnumbered paragraphs, subparagraphs, prayer for relief, titles, headings, and subheadings.
- C. The United States reserves the right to seek to amend and supplement its Answer and its defenses as may be appropriate or necessary.

INTRODUCTION*

The first paragraph of Plaintiffs’ Introduction consists of Plaintiffs’ characterization of this action, to which no response is required. The second paragraph of Plaintiffs’ Introduction similarly consists of Plaintiffs’ characterization of this action, as well as legal conclusions and Plaintiffs’ characterization of Executive Order 14210, to which no response is required. To the extent that a response is deemed required, Defendants respectfully refer the Court to the Executive Order for a full and accurate statement of its contents.

1. The allegations contained in Paragraph 1 consist of legal conclusions and Plaintiffs’ characterizations of Supreme Court caselaw, to which no response is required. To the extent that a response is deemed required, Defendants respectfully refer the Court to the cited authorities for a full and accurate statement of their contents, and otherwise deny the allegations.

2. The allegations contained in Paragraph 2 consist of legal conclusions and Plaintiffs’

* The headings and numbered paragraphs of this Answer correspond to the headings and numbered paragraphs of Plaintiffs’ Second Amended Complaint. Defendants do not waive any defensive theory or agree to or admit that Plaintiffs’ headings are accurate, appropriate, or substantiated.

1 characterizations of Supreme Court caselaw and a Report by the Congressional Research Service,
 2 to which no response is required. To the extent that a response is deemed required, Defendants
 3 respectfully refer the Court to the cited authorities for a full and accurate statement of their
 4 contents, and otherwise deny the allegations.

5 3. The allegations contained in Paragraph 3 consist of legal conclusions and Plaintiffs'
 6 characterizations of a presidential announcement, to which no response is required. To the extent
 7 that a response is deemed required, Defendants respectfully refer the Court to the cited
 8 announcement for a full and accurate statement of its contents.¹

9 4. The allegations contained in Paragraph 4 consist of Plaintiffs' characterizations of
 10 a presidential announcement, to which no response is required. To the extent that a response is
 11 deemed required, Defendants respectfully refer the Court to the cited announcement for a full and
 12 accurate statement of its contents.

13 5. The allegations contained in Paragraph 5 consist of Plaintiffs' characterizations of
 14 Executive Order 14158 and presidential memorandum, to which no response is required. To the
 15 extent that a response is deemed required, Defendants respectfully refer the Court to the cited
 16 authorities for a full and accurate statement of their contents.²

17 6. The allegations contained in Paragraph 6 consist of legal conclusions and
 18 Plaintiffs' characterizations of various Executive Orders, an agency Press Release, and a decision
 19 by the U.S. District Court for the District of Columbia, to which no response is required. To the
 20 extent that a response is deemed required, Defendants respectfully refer the Court to the cited
 21

22
 23 ¹ The allegations contained in Footnote 1 consist of Plaintiffs' characterizations of a
 24 presidential announcement, to which no response is required. To the extent that a response is
 25 deemed required, Defendants respectfully refer the Court to the cited announcement for a full and
 accurate statement of its contents.

26 ² The allegations contained in Footnote 2 consist of Plaintiffs' characterizations of an
 27 online Reuters article, to which no response is required. To the extent that a response is deemed
 28 required, Defendants respectfully refer the Court to the cited article for a full and accurate
 statement of its contents.

1 authorities for a full and accurate statement of their contents.

2 7. The allegations contained in Paragraph 7 consist of Plaintiffs' characterizations of
3 Executive Order 14210, to which no response is required. To the extent that a response is deemed
4 required, Defendants respectfully refer the Court to Executive Order 14210 for a full and accurate
5 statement of its contents.

6 8. The allegations contained in Paragraph 8 consist of legal conclusions and Plaintiffs'
7 characterizations of Executive Order 14210, to which no response is required. To the extent that a
8 response is deemed required, Defendants respectfully refer the Court to Executive Order 14210
9 for a full and accurate statement of its contents, and otherwise deny the allegations.

10 9. The allegations contained in Paragraph 9 consist of legal conclusions and Plaintiffs'
11 characterizations of Executive Order 14210 and a White House Fact Sheet, to which no response
12 is required. To the extent that a response is deemed required, Defendants respectfully refer the
13 Court to Executive Order 14210 and the cited Fact Sheet for a full and accurate statement of their
14 contents, and otherwise deny the allegations.³

15 10. The allegations contained in Paragraph 10 consist of legal conclusions and
16 Plaintiffs' characterizations of various presidential remarks and a White House Fact Sheet, to
17 which no response is required. To the extent that a response is deemed required, Defendants
18 respectfully refer the Court to the cited authorities for a full and accurate statement of their
19 contents.

20 11. The allegations contained in Paragraph 11 consist of legal conclusions and
21 Plaintiffs' characterizations of a Congressional Research Service Report and a Heritage
22 Foundation Memorandum, to which no response is required. To the extent that a response is
23 deemed required, Defendants respectfully refer the Court to the cited authorities for a full and
24 accurate statement of their contents. Defendants specifically deny that the President lacked
25

26 ³ Footnote 3 consists of a citation to a White House Fact Sheet, to which no response is
27 required. To the extent that a response is deemed required, Defendants respectfully refer the Court
28 to the cited Fact Sheet for a full and accurate statement of its contents.

1 authority to propound Executive Order 14210.

2 12. The allegations contained in Paragraph 12 consist of legal conclusions and
3 Plaintiffs' characterizations of an Executive Order and Office of Management and Budget
4 ("OMB") Recommendations, to which no response is required. To the extent that a response is
5 deemed required, Defendants respectfully refer the Court to the cited authorities for a full and
6 accurate statement of their contents, and otherwise deny the allegations.⁴ Defendants specifically
7 deny that the President lacked authority to propound Executive Order 14210.

8 13. The allegations contained in Paragraph 13 consist of legal conclusions and
9 Plaintiffs' characterizations of an OMB Memorandum and Fox News video, to which no response
10 is required. To the extent that a response is deemed required, Defendants respectfully refer the
11 Court to the cited authorities for a full and accurate statement of their contents, and otherwise deny
12 the allegations.⁵ Defendants specifically deny that Defendants are implementing "unconstitutional
13 and unlawful orders."

14 14. The allegations contained in Paragraph 14 consist of legal conclusions, to which no
15 response is required. To the extent that a response is deemed required, denied.

16 15. The allegations contained in Paragraph 15 consist of legal conclusions and
17 Plaintiffs' characterizations of various court decisions, to which no response is required. To the
18 extent that a response is deemed required, Defendants respectfully refer the Court to the cited
19 authorities for a full and accurate statement of their contents.

20 16. The allegations contained in Paragraph 16 consist of Plaintiffs' characterizations of
21 various sources putatively quoting presidential statements, to which no response is required. To
22

23
24 ⁴ The allegations contained in Footnote 4 consist of Plaintiffs' characterizations of an
25 Executive Order and citation to OMB recommendations, to which no response is required. To the
26 extent that a response is deemed required, Defendants respectfully refer the Court to the cited
27 authorities for a full and accurate statement of their contents.

28 ⁵ Footnote 5 consists of a citation to a Fox News video, to which no response is required.
To the extent that a response is deemed required, Defendants respectfully refer the Court to the
cited video for a full and accurate statement of its contents.

1 the extent that a response is deemed required, Defendants respectfully refer the Court to the cited
 2 sources for a full and accurate statement of their contents.^{6,7}

3 17. The allegations contained in Paragraph 17 consist of Plaintiffs' characterizations of
 4 various statements putatively made by members of the Administration, to which no response is
 5 required. To the extent that a response is deemed required, Defendants respectfully refer the Court
 6 to the cited sources for a full and accurate statement of their contents.^{8, 9, 10}

7 18. The allegations contained in Paragraph 18 consist of legal conclusions and
 8 Plaintiffs' characterizations of unspecified communications and a Washington Post article, to
 9 which no response is required. To the extent that a response is deemed required, Defendants
 10 respectfully refer the Court to the cited article for a full and accurate statement of its contents.¹¹

11 19. The allegations contained in Paragraph 19 consist of legal conclusions, argument,
 12 and Plaintiffs' characterizations of unspecified "RIF notices," "press coverage," "leaked
 13 government documents," and other unidentified materials, to which no response is required. To
 14

15
 16 ⁶ Footnote 6 consists of a citation to remarks at the Sean Hannity Show, to which no
 17 response is required. To the extent that a response is deemed required, Defendants respectfully
 18 refer the Court to the cited remarks for a full and accurate statement of their contents.

19 ⁷ Footnote 7 consists of a citation to presidential remarks, to which no response is required.
 20 To the extent that a response is deemed required, Defendants respectfully refer the Court to the
 21 cited remarks for a full and accurate statement of their contents.

22 ⁸ Footnote 8 consists of a citation to a White House Press Briefing, to which no response
 23 is required. To the extent that a response is deemed required, Defendants respectfully refer the
 24 Court to the cited remarks for a full and accurate statement of their contents.

25 ⁹ Footnote 9 consists of a citation to an online article, to which no response is required. To
 26 the extent that a response is deemed required, Defendants respectfully refer the Court to the cited
 27 source for a full and accurate statement of its contents.

28 ¹⁰ Footnote 10 consists of a citation to a Fox News video, to which no response is required.
 To the extent that a response is deemed required, Defendants respectfully refer the Court to the
 cited video for a full and accurate statement of its contents.

¹¹ Footnote 11 consists of a citation to a Washington Post article, to which no response is
 required. To the extent that a response is deemed required, Defendants respectfully refer the Court
 to the cited article for a full and accurate statement of its contents.

1 the extent that a response is deemed required, Defendants lack knowledge or information sufficient
2 to form a belief about the truth of the allegations contained in Paragraph 19.

3 20. The allegations contained in Paragraph 20 consist of legal conclusions, argument,
4 and Plaintiffs' characterizations of myriad third-party sources or agency press releases, to which
5 no response is required. To the extent that a response is deemed required, Defendants respectfully
6 refer the Court to the cited sources for a full and accurate statement of their contents.^{12, 13, 14}

7 21. The allegations contained in Paragraph 21 consist of legal conclusions and
8 argument, to which no response is required. To the extent that a response is deemed required,
9 denied.

10 22. The allegations contained in Paragraph 22 consist of legal conclusions and
11 argument, to which no response is required. To the extent that a response is deemed required,
12 denied.

13 23. The allegations contained in Paragraph 23 consist of legal conclusions, argument,
14 and Plaintiffs' characterizations of a Yahoo news article and Health and Human Services ("HHS")
15 Fact Sheet, to which no response is required. To the extent that a response is deemed required,
16 Defendants respectfully refer the Court to the cited sources for a full and accurate statement of
17

18
19
20
21
22

¹² Footnote 12 consists of a citation to an Agency Press Release, to which no response is
23 required. To the extent that a response is deemed required, Defendants respectfully refer the Court
24 to the cited Press Release for a full and accurate statement of its contents.

25 ¹³ Footnote 13 consists of citations to articles on various websites, to which no response is
26 required. To the extent that a response is deemed required, Defendants respectfully refer the Court
27 to the cited websites for a full and accurate statement of their contents.

28 ¹⁴ Footnote 14 consists of a citation to an online Reuters article, to which no response is
required. To the extent that a response is deemed required, Defendants respectfully refer the Court
to the cited article for a full and accurate statement of its contents.

1 their contents. Otherwise, denied.^{15, 16}

2 24. The allegations contained in Paragraph 24 consist of legal conclusions, argument,
3 and Plaintiffs' characterization of this action, to which no response is required. To the extent that
4 a response is deemed required, denied.

5 25. The allegations contained in Paragraph 25 consist of legal conclusions, argument,
6 and Plaintiffs' characterization of this action, to which no response is required. To the extent that
7 a response is deemed required, denied.

8 JURISDICTION AND VENUE

9 26. The allegations contained in Paragraph 26 consist of a legal conclusion, to which
10 no response is required. To the extent that a response is deemed required, denied.

11 27. The allegations contained in the first sentence of Paragraph 27 consist of a legal
12 conclusion, to which no response is required. Defendants lack knowledge or information sufficient
13 to form a belief about the truth of the remaining allegations contained in Paragraph 27.

14 28. The allegations contained in Paragraph 28 consist of a legal conclusion, to which
15 no response is required.

17 PARTIES

18 29. Defendants lack knowledge or information sufficient to form a belief about the truth
19 of the allegations contained in Paragraph 29.

20 30. Defendants lack knowledge or information sufficient to form a belief about the truth
21 of the allegations contained in Paragraph 30.

22 31. Defendants lack knowledge or information sufficient to form a belief about the truth
23 of the allegations contained in Paragraph 31.

24 ¹⁵ Footnote 15 consists of a citation to a Yahoo News article, to which no response is
25 required. To the extent that a response is deemed required, Defendants respectfully refer the Court
26 to the cited article for a full and accurate statement of its contents.

27 ¹⁶ Footnote 16 consists of a citation to an HHS Fact Sheet, to which no response is required.
28 To the extent that a response is deemed required, Defendants respectfully refer the Court to the
cited Fact Sheet for a full and accurate statement of its contents.

1 32. Defendants lack knowledge or information sufficient to form a belief about the truth
2 of the allegations contained in Paragraph 32.

3 33. Defendants lack knowledge or information sufficient to form a belief about the truth
4 of the allegations contained in Paragraph 33.

5 34. Defendants lack knowledge or information sufficient to form a belief about the truth
6 of the allegations contained in Paragraph 34.

7 35. Defendants lack knowledge or information sufficient to form a belief about the truth
8 of the allegations contained in Paragraph 35.

9 36. Defendants lack knowledge or information sufficient to form a belief about the truth
10 of the allegations contained in Paragraph 36.

11 37. Defendants lack knowledge or information sufficient to form a belief about the truth
12 of the allegations contained in Paragraph 37.

13 38. Defendants lack knowledge or information sufficient to form a belief about the truth
14 of the allegations contained in Paragraph 38.

15 39. Defendants lack knowledge or information sufficient to form a belief about the truth
16 of the allegations contained in Paragraph 39.

17 40. Defendants lack knowledge or information sufficient to form a belief about the truth
18 of the allegations contained in Paragraph 40.

19 41. Defendants lack knowledge or information sufficient to form a belief about the truth
20 of the allegations contained in Paragraph 41.

21 42. Defendants lack knowledge or information sufficient to form a belief about the truth
22 of the allegations contained in Paragraph 42.

23 43. Defendants lack knowledge or information sufficient to form a belief about the truth
24 of the allegations contained in Paragraph 43.

25 44. Defendants lack knowledge or information sufficient to form a belief about the truth
26 of the allegations contained in Paragraph 44.

27 45. Defendants lack knowledge or information sufficient to form a belief about the truth
28

1 of the allegations contained in Paragraph 45.

2 46. Defendants lack knowledge or information sufficient to form a belief about the truth
3 of the allegations contained in Paragraph 46.

4 47. Defendants lack knowledge or information sufficient to form a belief about the truth
5 of the allegations contained in Paragraph 47.

6 48. Defendants lack knowledge or information sufficient to form a belief about the truth
7 of the allegations contained in Paragraph 48.

8 49. Defendants lack knowledge or information sufficient to form a belief about the truth
9 of the allegations contained in Paragraph 49.

10 50. Defendants lack knowledge or information sufficient to form a belief about the truth
11 of the allegations contained in Paragraph 50.

12 51. Defendants lack knowledge or information sufficient to form a belief about the truth
13 of the allegations contained in Paragraph 51.

14 52. Defendants lack knowledge or information sufficient to form a belief about the truth
15 of the allegations contained in Paragraph 52.

16 53. Defendants lack knowledge or information sufficient to form a belief about the truth
17 of the allegations contained in Paragraph 53.

18 54. Defendants lack knowledge or information sufficient to form a belief about the truth
19 of the allegations contained in Paragraph 54.

20 55. Defendants lack knowledge or information sufficient to form a belief about the truth
21 of the allegations contained in Paragraph 55.

22 56. Defendants lack knowledge or information sufficient to form a belief about the truth
23 of the allegations contained in Paragraph 56.

24 57. Defendants admit that Donald J. Trump is the President of the United States. The
25 remainder of Paragraph 57 consists of Plaintiffs' characterization of this action, to which no
26 response is required.

27 58. Defendants admit that the Office of Management and Budget ("OMB") is a federal
28

1 agency headquartered in Washington, D.C. The remainder of Paragraph 58 consists of legal
2 conclusions, to which no response is required.

3 59. Defendants admit that Russell Vought is the Director of OMB. The remainder of
4 Paragraph 59 consists of Plaintiffs' characterization of this action, to which no response is
5 required.

6 60. Defendants admit that the Office of Personnel Management ("OPM") is a federal
7 agency headquartered in Washington, D.C. The remainder of Paragraph 60 consists of legal
8 conclusions, to which no response is required.

9 61. Defendants admit that Scott Kapor is the Director of OPM. The remainder of
10 Paragraph 61 consists of Plaintiffs' characterization of this action, to which no response is
11 required.

12 62. Defendants admit that United States DOGE Service ("USDS") is headquartered in
13 Washington, D.C. The remainder of Paragraph 62 consists of legal conclusions, to which no
14 response is required. Defendants specifically deny that USDS is an "agency" under the APA.

15 63. Defendants admit that Amy Gleason is the Acting Administrator of USDS. The
16 remainder of Paragraph 63 consists of Plaintiffs' characterization of this action, to which no
17 response is required.

18 64. Paragraph 64 consists of legal conclusions and Plaintiffs' characterization of this
19 action, to which no response is required.

20 65. Defendants admit that the United States Department of Agriculture ("USDA") is a
21 federal agency headquartered in Washington, D.C. The remainder of Paragraph 65 consists of legal
22 conclusions, to which no response is required.

23 66. Defendants admit that Brooke Rollins is the Secretary of Agriculture. The
24 remainder of Paragraph 66 consists of Plaintiffs' characterization of this action, to which no
25 response is required.

26 67. Defendants admit that the United States Department of Commerce ("Commerce")
27 is a federal agency headquartered in Washington, D.C. The remainder of Paragraph 67 consists of
28

1 legal conclusions, to which no response is required.

2 68. Defendants admit that Howard Lutnick is the Secretary of Commerce. The
3 remainder of Paragraph 68 consists of Plaintiffs' characterization of this action, to which no
4 response is required.

5 69. Defendants admit that the United States Department of Defense ("DoD") is a
6 federal agency headquartered in Washington, D.C. The remainder of Paragraph 69 consists of legal
7 conclusions, to which no response is required.

8 70. Defendants admit that Pete Hegseth is the Secretary of Defense. The remainder of
9 Paragraph 70 consists of Plaintiffs' characterization of this action, to which no response is
10 required.

11 71. Defendants admit that the United States Department of Energy ("Energy") is a
12 federal agency headquartered in Washington, D.C. The remainder of paragraph 71 consists of legal
13 conclusions, to which no response is required.

14 72. Defendants admit that Chris Wright is the Secretary of Energy. The remainder of
15 Paragraph 72 consists of Plaintiffs' characterization of this action, to which no response is
16 required.

17 73. Defendants admit that the United States Department of Health and Human Services
18 ("HHS") is a federal agency headquartered in Washington, D.C. The remainder of Paragraph 73
19 consists of legal conclusions, to which no response is required.

20 74. Defendants admit that Robert F. Kennedy Jr. is the Secretary of HHS. The
21 remainder of Paragraph 74 consists of Plaintiffs' characterization of this action, to which no
22 response is required.

23 75. Defendants admit that the United States Department of Homeland Security
24 ("DHS") is a federal agency headquartered in Washington, D.C. The remainder of Paragraph 75
25 consists of legal conclusions, to which no response is required.

26 76. Defendants admit that Kristi Noem is the Secretary of DHS. The remainder of
27 Paragraph 76 consists of Plaintiffs' characterization of this action, to which no response is
28

1 required.

2 77. Defendants admit that the United States Department of Housing and Urban
3 Development (“HUD”) is a federal agency headquartered in Washington, D.C. The remainder of
4 Paragraph 77 consists of legal conclusions, to which no response is required.

5 78. Defendants admit that Scott Turner is the Secretary of HUD. The remainder of
6 Paragraph 78 consists of Plaintiffs’ characterization of this action, to which no response is
7 required.

8 79. Defendants admit that the United States Department of Justice (“DOJ”) is a federal
9 agency headquartered in Washington, D.C. The remainder of Paragraph 79 consists of legal
10 conclusions, to which no response is required.

11 80. Defendants admit that Pam Bondi is the Attorney General. The remainder of
12 Paragraph 80 consists of Plaintiffs’ characterization of this action, to which no response is
13 required.

14 81. Defendants admit that the United States Department of the Interior (“DoI”) is a
15 federal agency headquartered in Washington, D.C. The remainder of Paragraph 81 consists of legal
16 conclusions, to which no response is required.

17 82. Defendants admit that Doug Burgum is the Secretary of Interior. The remainder of
18 Paragraph 82 consists of Plaintiffs’ characterization of this action, to which no response is
19 required.

20 83. Defendants admit that the United States Department of Labor (“DoL”) is a federal
21 agency headquartered in Washington, D.C. The remainder of Paragraph 83 consists of legal
22 conclusions, to which no response is required.

23 84. Defendants admit that Lori Chavez-DeRemer is the Secretary of Labor. The
24 remainder of Paragraph 84 consists of Plaintiffs’ characterization of this action, to which no
25 response is required.

26 85. Defendants admit that the United States Department of State (“State”) is a federal
27 agency headquartered in Washington, D.C. The remainder of Paragraph 85 consists of legal
28

1 conclusions, to which no response is required.

2 86. Defendants admit that Marco Rubio is the Secretary of State. The remainder of
3 Paragraph 86 consists of Plaintiffs' characterization of this action, to which no response is
4 required.

5 87. Defendants admit that the United States Department of Treasury ("Treasury") is a
6 federal agency headquartered in Washington, D.C. The remainder of Paragraph 87 consists of legal
7 conclusions, to which no response is required.

8 88. Defendants admit that Scott Bessent is the Secretary of Treasury. The remainder of
9 Paragraph 88 consists of Plaintiffs' characterization of this action, to which no response is
10 required.

11 89. Defendants admit that the United States Department of Transportation ("DOT") is
12 a federal agency headquartered in Washington, D.C. The remainder of Paragraph 89 consists of
13 legal conclusions, to which no response is required.

14 90. Defendants admit that Sean Duffy is the Secretary of Transportation. The remainder
15 of Paragraph 90 consists of Plaintiffs' characterization of this action, to which no response is
16 required.

17 91. Defendants admit that the United States Department of Veterans Affairs ("the VA")
18 is a federal agency headquartered in Washington, D.C. The remainder of Paragraph 91 consists of
19 legal conclusions, to which no response is required.

20 92. Defendants admit that Doug Collins is the Secretary of Veterans Affairs. The
21 remainder of Paragraph 92 consists of Plaintiffs' characterization of this action, to which no
22 response is required.

23 93. Defendants admit that AmeriCorps is a federal agency headquartered in
24 Washington, D.C. The remainder of Paragraph 93 consists of legal conclusions, to which no
25 response is required.

26 94. Defendants admit that Jennifer Bastress Tahmasebi is the Interim Agency Head of
27 AmeriCorps. The remainder of Paragraph 94 consists of Plaintiffs' characterization of this action,
28

1 to which no response is required.

2 95. Defendants admit that the United States Environmental Protection Agency (“EPA”)
3 is a federal agency headquartered in Washington, D.C. The remainder of Paragraph 95 consists of
4 legal conclusions, to which no response is required.

5 96. Defendants admit that Lee Zeldin is the EPA Administrator. The remainder of
6 Paragraph 96 consists of Plaintiffs’ characterization of this action, to which no response is
7 required.

8 97. Defendants admit that the United States General Services Administration (“GSA”)
9 is a federal agency headquartered in Washington, D.C. The remainder of Paragraph 97 consists of
10 legal conclusions, to which no response is required.

11 98. Defendants admit that Michael Rigas is the GSA Acting Administrator. The
12 remainder of Paragraph 98 consists of Plaintiffs’ characterization of this action, to which no
13 response is required.

14 99. Defendants admit that the National Labor Relations Board (“NLRB”) is a federal
15 agency headquartered in Washington, D.C. The remainder of Paragraph 99 consists of legal
16 conclusions, to which no response is required.

17 100. Defendants admit that David M. Prouty is currently the sole Member of the NLRB.
18 The remainder of Paragraph 100 consists of Plaintiffs’ characterization of this action, to which no
19 response is required.

20 101. Defendants admit that William Cowen is Acting General Counsel of the NLRB.
21 The remainder of Paragraph 101 consists of Plaintiffs’ characterization of this action, to which no
22 response is required.

23 102. Defendants admit that the National Science Foundation (“NSF”) is a federal agency
24 headquartered in Alexandria, Virginia. The remainder of Paragraph 102 consists of legal
25 conclusions, to which no response is required.

26 103. Defendants admit that Brian Stone is Acting Director of the NSF. The remainder of
27 Paragraph 103 consists of Plaintiffs’ characterization of this action, to which no response is
28

1 required.

2 104. Defendants admit that the Peace Corps is a federal agency headquartered in
3 Washington, D.C. The remainder of Paragraph 104 consists of legal conclusions, to which no
4 response is required.

5 105. Defendants admit that Paul Shea is the Chief Executive Officer of the Peace Corps.
6 The remainder of Paragraph 105 consists of Plaintiffs' characterization of this action, to which no
7 response is required.

8 106. Defendants admit that the United States Small Business Administration ("SBA") is
9 a federal agency headquartered in Washington, D.C. The remainder of Paragraph 106 consists of
10 legal conclusions, to which no response is required.

11 107. Defendants admit that Kelly Loeffler is the Administrator of the SBA. The
12 remainder of Paragraph 107 consists of Plaintiffs' characterization of this action, to which no
13 response is required.

14 108. Defendants admit that the United States Social Security Administration ("SSA") is
15 a federal agency headquartered in Baltimore, Maryland. The remainder of Paragraph 108 consists
16 of legal conclusions, to which no response is required.

17 109. Defendants admit that Frank Bisignano is the Commissioner of the SSA. The
18 remainder of Paragraph 109 consists of Plaintiffs' characterization of this action, to which no
19 response is required.

20 **FACTUAL ALLEGATIONS**

21 **I. The Constitution's Distribution of Legislative and Executive Authority With** 22 **Respect to the Agencies of the Federal Government**

23 110. The allegations contained in Paragraph 110 consist of legal conclusions and
24 Plaintiffs' characterizations of Supreme Court caselaw and the United States Constitution, to
25 which no response is required. To the extent that a response is deemed required, Defendants
26 respectfully refer the Court to the cited authorities for a full and accurate statement of their
27 contents.
28

1 111. The allegations contained in Paragraph 111 consist of Plaintiffs' characterizations
2 of a Heritage Foundation essay and a Law Journal article, to which no response is required. To the
3 extent that a response is deemed required, Defendants respectfully refer the Court to the cited
4 sources for a full and accurate statement of their contents.¹⁷

5 112. The allegations contained in Paragraph 112 consist of legal conclusions and
6 Plaintiffs' characterizations of various federal statutes, to which no response is required. To the
7 extent that a response is deemed required, Defendants respectfully refer the Court to the cited
8 statutes for a full and accurate statement of their contents.

9 113. The allegations contained in Paragraph 113 consist of legal conclusions and
10 Plaintiffs' characterizations of the United States Constitution, Supreme Court caselaw, and the
11 Federalist Papers, to which no response is required. To the extent that a response is deemed
12 required, Defendants respectfully refer the Court to the cited authorities for a full and accurate
13 statement of their contents.

14 114. The allegations contained in Paragraph 114 consist of legal conclusions and
15 Plaintiffs' characterizations of the United States Constitution and Supreme Court caselaw, to
16 which no response is required. To the extent that a response is deemed required, Defendants
17 respectfully refer the Court to the cited authorities for a full and accurate statement of their
18 contents.

19 115. The allegations contained in Paragraph 115 consist of legal conclusions and
20 Plaintiffs' characterizations of Supreme Court caselaw, to which no response is required. To the
21 extent that a response is deemed required, Defendants respectfully refer the Court to the cited
22 authorities for a full and accurate statement of their contents.

23 116. The allegations contained in Paragraph 116 consist of legal conclusions and
24 Plaintiffs' characterizations of the United States Constitution and Supreme Court caselaw, to
25

26
27 ¹⁷ Footnote 17 consists of a parallel citation to the Heritage Foundation essay, to which no
28 response is required. To the extent that a response is deemed required, Defendants respectfully
refer the Court to the cited essay for a full and accurate statement of its contents.

1 which no response is required. To the extent that a response is deemed required, Defendants
2 respectfully refer the Court to the cited authorities for a full and accurate statement of their
3 contents.

4 117. The allegations contained in Paragraph 117 consist of legal conclusions and
5 Plaintiffs' characterizations of Supreme Court caselaw and a Supreme Court pleading, to which
6 no response is required. To the extent that a response is deemed required, Defendants respectfully
7 refer the Court to the cited authorities for a full and accurate statement of their contents.

8 118. The allegations contained in Paragraph 118 consist of legal conclusions and
9 Plaintiffs' characterizations of Supreme Court caselaw to which no response is required. To the
10 extent that a response is deemed required, Defendants respectfully refer the Court to the cited
11 authority for a full and accurate statement of its contents.

12 119. The allegations contained in Paragraph 119 consist of legal conclusions and
13 Plaintiffs' characterizations of various federal statutes, to which no response is required. To the
14 extent that a response is deemed required, Defendants respectfully refer the Court to the cited
15 statutes for a full and accurate statement of their contents.

16 120. The allegations contained in Paragraph 120 consist of legal conclusions and
17 Plaintiffs' characterizations of various federal statutes, to which no response is required. To the
18 extent that a response is deemed required, Defendants respectfully refer the Court to the cited
19 statutes for a full and accurate statement of their contents.

20 121. The allegations contained in Paragraph 120 consist of legal conclusions, argument,
21 and Plaintiffs' characterizations of Supreme Court caselaw, to which no response is required. To
22 the extent that a response is deemed required, Defendants respectfully refer the Court to the cited
23 authority for a full and accurate statement of its contents. Defendants specifically deny that the
24 President lacked authority to propound Executive Order 14210.

25 122. The allegations contained in Paragraph 122 consist of legal conclusions and
26 argument, to which no response is required. To the extent that a response is deemed required,
27 denied. Defendants specifically deny that the President lacked authority to propound Executive
28

1 Order 14210.

2 **II. The 100-Year History of Congressionally Authorized Government Reorganization**

3 123. The allegations contained in Paragraph 123 consist of legal conclusions and
4 Plaintiffs' characterizations of various federal statutes, to which no response is required. To the
5 extent that a response is deemed required, Defendants respectfully refer the Court to the cited
6 statutes for a full and accurate statement of their contents.

7 124. The allegations contained in Paragraph 124 consist of legal conclusions and
8 Plaintiffs' characterizations of a Congressional Research Service Report, to which no response is
9 required. To the extent that a response is deemed required, Defendants respectfully refer the Court
10 to the cited Report for a full and accurate statement of its contents.

11 125. The allegations contained in Paragraph 125 consist of legal conclusions and
12 Plaintiffs' characterizations of a House of Representatives committee report, to which no response
13 is required. To the extent that a response is deemed required, Defendants respectfully refer the
14 Court to the cited report for a full and accurate statement of its contents.

15 126. The allegations contained in Paragraph 126 consist of legal conclusions, argument,
16 and Plaintiffs' characterizations of federal statutes, to which no response is required. To the extent
17 that a response is deemed required, Defendants respectfully refer the Court to the cited statutes for
18 a full and accurate statement of their contents.

19 127. The allegations contained in Paragraph 127 consist of legal conclusions, argument,
20 and Plaintiffs' characterizations of a federal statute, to which no response is required. To the extent
21 that a response is deemed required, Defendants respectfully refer the Court to the cited statute for
22 a full and accurate statement of its contents.

23 128. The allegations contained in Paragraph 128 consist of legal conclusions, argument,
24 and Plaintiffs' characterizations of various sources, to which no response is required. To the extent
25 that a response is deemed required, Defendants respectfully refer the Court to the cited sources for
26 a full and accurate statement of their contents.

27 129. The allegations contained in Paragraph 129 consist of legal conclusions, argument,
28

1 and Plaintiffs' characterizations of various legislative sources, to which no response is required.
 2 To the extent that a response is deemed required, Defendants respectfully refer the Court to the
 3 cited sources for a full and accurate statement of their contents.

4 130. The allegations contained in Paragraph 130 consist of legal conclusions, argument,
 5 and Plaintiffs' characterizations of various statutory and non-statutory sources, to which no
 6 response is required. To the extent that a response is deemed required, Defendants respectfully
 7 refer the Court to the cited sources for a full and accurate statement of their contents.

8 131. The allegations contained in Paragraph 131 consist of legal conclusions and
 9 argument, to which no response is required. To the extent that a response is deemed required,
 10 denied. Defendants specifically deny that the President lacked authority to propound Executive
 11 Order 14210.

12 **III. President Trump's First Unsuccessful Attempt at Government Reorganization**

13 132. The allegations contained in Paragraph 132 consist of legal conclusions and
 14 argument, to which no response is required. To the extent that a response is deemed required,
 15 denied. Defendants specifically deny that the President lacked authority to propound Executive
 16 Order 14210.

17 133. The allegations contained in Paragraph 133 consist of Plaintiffs' characterizations
 18 of an Executive Order and implementing Memorandum, to which no response is required. To the
 19 extent that a response is deemed required, Defendants respectfully refer the Court to the cited
 20 authorities for a full and accurate statement of their contents.¹⁸

21 134. The allegations contained in Paragraph 134 consist of Plaintiffs' characterizations
 22 of an OMB Reform Plan and Reorganization Recommendations (June 2018), to which no response
 23 is required. To the extent that a response is deemed required, Defendants respectfully refer the
 24

25
 26 ¹⁸ Footnote 18 consists of a parallel citation to the OMB implementing Memorandum, to
 27 which no response is required. To the extent that a response is deemed required, Defendants
 28 respectfully refer the Court to the cited Memorandum for a full and accurate statement of its
 contents.

1 Court to the cited Plan for a full and accurate statement of its contents.¹⁹

2 135. The allegations contained in Paragraph 135 consist of Plaintiffs' characterizations
3 of an OMB Reform Plan and Reorganization Recommendations (June 2018), to which no response
4 is required. To the extent that a response is deemed required, Defendants respectfully refer the
5 Court to the cited Plan for a full and accurate statement of its contents.

6 136. The allegations contained in Paragraph 136 consist of legal conclusions, argument,
7 and Plaintiffs' characterizations of various legislative sources, to which no response is required.
8 To the extent that a response is deemed required, Defendants respectfully refer the Court to the
9 cited sources for a full and accurate statement of their contents.^{20, 21, 22}

10 137. The allegations contained in Paragraph 137 consist of Plaintiffs' characterizations
11 of a report by the presidential Administration, to which no response is required. To the extent that
12 a response is deemed required, Defendants respectfully refer the Court to the cited report for a full
13 and accurate statement of its contents.²³

14 138. The allegations contained in Paragraph 138 consist of Plaintiffs' characterizations
15 of various congressional hearings, to which no response is required. To the extent that a response
16

17 ¹⁹ Footnote 19 consists of a parallel citation to an OMB Reform Plan and Reorganization
18 Recommendations (June 2018), to which no response is required. To the extent that a response is
19 deemed required, Defendants respectfully refer the Court to the cited Plan for a full and accurate
statement of its contents.

20 ²⁰ Footnote 20 consists of a parallel citation to a House of Representatives Bill, to which
21 no response is required. To the extent that a response is deemed required, Defendants respectfully
22 refer the Court to the cited Bill for a full and accurate statement of its contents.

23 ²¹ Footnote 21 consists of a parallel citation to a Senate Bill, to which no response is
24 required. To the extent that a response is deemed required, Defendants respectfully refer the Court
to the cited Bill for a full and accurate statement of its contents.

25 ²² Footnote 22 consists of a parallel citation to a Senate Committee Report, to which no
26 response is required. To the extent that a response is deemed required, Defendants respectfully
refer the Court to the cited Report for a full and accurate statement of its contents.

27 ²³ Footnote 23 consists of a parallel citation to a report by the presidential Administration,
28 to which no response is required. To the extent that a response is deemed required, Defendants
respectfully refer the Court to the cited Report for a full and accurate statement of its contents.

1 is deemed required, Defendants respectfully refer the Court to the cited sources for a full and

accurate statement of their contents.^{24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38}

139. The allegations contained in Paragraph 139 consist of Plaintiffs' characterizations

²⁴ Footnote 24 consists of a parallel citation to a congressional hearing, to which no response is required. To the extent that a response is deemed required, Defendants respectfully refer the Court to the cited hearing for a full and accurate statement of its contents.

²⁵ Footnote 25 consists of a parallel citation to a congressional hearing, to which no response is required. To the extent that a response is deemed required, Defendants respectfully refer the Court to the cited hearing for a full and accurate statement of its contents.

²⁶ Footnote 26 consists of a parallel citation to a congressional hearing, to which no response is required. To the extent that a response is deemed required, Defendants respectfully refer the Court to the cited hearing for a full and accurate statement of its contents.

²⁷ Footnote 27 consists of a parallel citation to a congressional hearing, to which no response is required. To the extent that a response is deemed required, Defendants respectfully refer the Court to the cited hearing for a full and accurate statement of its contents.

²⁸ Footnote 28 consists of a parallel citation to a congressional hearing, to which no response is required. To the extent that a response is deemed required, Defendants respectfully refer the Court to the cited hearing for a full and accurate statement of its contents.

²⁹ Footnote 29 consists of a parallel citation to a congressional hearing, to which no response is required. To the extent that a response is deemed required, Defendants respectfully refer the Court to the cited hearing for a full and accurate statement of its contents.

³⁰ Footnote 30 consists of a parallel citation to a congressional hearing, to which no response is required. To the extent that a response is deemed required, Defendants respectfully refer the Court to the cited hearing for a full and accurate statement of its contents.

³¹ Footnote 31 consists of a parallel citation to a congressional hearing, to which no response is required. To the extent that a response is deemed required, Defendants respectfully refer the Court to the cited hearing for a full and accurate statement of its contents.

³² Footnote 32 consists of a parallel citation to a congressional hearing, to which no response is required. To the extent that a response is deemed required, Defendants respectfully refer the Court to the cited hearing for a full and accurate statement of its contents.

³³ Footnote 33 consists of a parallel citation to a congressional hearing, to which no response is required. To the extent that a response is deemed required, Defendants respectfully refer the Court to the cited hearing for a full and accurate statement of its contents.

³⁴ Footnote 34 consists of a parallel citation to a congressional hearing, to which no response is required. To the extent that a response is deemed required, Defendants respectfully refer the Court to the cited hearing for a full and accurate statement of its contents.

1 of a Congressional Research Service Report, to which no response is required. To the extent that
 2 a response is deemed required, Defendants respectfully refer the Court to the cited Report for a
 3 full and accurate statement of its contents.³⁹

4 140. The allegations contained in Paragraph 140 consist of Plaintiffs' characterizations
 5 of various online articles, to which no response is required. To the extent that a response is deemed
 6 required, Defendants respectfully refer the Court to the cited sources for a full and accurate
 7 statement of their contents.^{40, 41, 42, 43}

8
 9 ³⁵ Footnote 35 consists of a parallel citation to a congressional hearing, to which no
 10 response is required. To the extent that a response is deemed required, Defendants respectfully
 11 refer the Court to the cited hearing for a full and accurate statement of its contents.

12 ³⁶ Footnote 36 consists of a parallel citation to a congressional hearing, to which no
 13 response is required. To the extent that a response is deemed required, Defendants respectfully
 14 refer the Court to the cited hearing for a full and accurate statement of its contents.

15 ³⁷ Footnote 37 consists of a parallel citation to a congressional hearing, to which no
 16 response is required. To the extent that a response is deemed required, Defendants respectfully
 17 refer the Court to the cited hearing for a full and accurate statement of its contents.

18 ³⁸ Footnote 38 consists of a parallel citation to a congressional hearing, to which no
 19 response is required. To the extent that a response is deemed required, Defendants respectfully
 20 refer the Court to the cited hearing for a full and accurate statement of its contents.

21 ³⁹ Footnote 39 consists of a parallel citation to a Congressional Research Service Report,
 22 to which no response is required. To the extent that a response is deemed required, Defendants
 23 respectfully refer the Court to the cited Report for a full and accurate statement of its contents.

24 ⁴⁰ Footnote 40 consists of a citation to an online article, to which no response is required.
 25 To the extent that a response is deemed required, Defendants respectfully refer the Court to the
 26 cited article for a full and accurate statement of its contents.

27 ⁴¹ Footnote 41 consists of a citation to an online article, to which no response is required.
 28 To the extent that a response is deemed required, Defendants respectfully refer the Court to the
 cited article for a full and accurate statement of its contents.

⁴² Footnote 42 consists of a citation to an online article, to which no response is required.
 To the extent that a response is deemed required, Defendants respectfully refer the Court to the
 cited article for a full and accurate statement of its contents.

⁴³ Footnote 43 consists of a citation to an online article, to which no response is required.
 To the extent that a response is deemed required, Defendants respectfully refer the Court to the
 cited article for a full and accurate statement of its contents.

IV. President Trump’s Second-Term Reorganization Without Congressional Authorization

141. The allegations contained in Paragraph 141 consist of legal conclusions and argument, to which no response is required. To the extent that a response is deemed required, denied. Defendants specifically deny that the President lacked authority to propound Executive Order 14210.

142. The allegations contained in Paragraph 142 consist of Plaintiffs’ characterizations of an online article, to which no response is required. To the extent that a response is deemed required, Defendants respectfully refer the Court to the cited article for a full and accurate statement of its contents.⁴⁴

A. The Mandate to OMB, OPM, and USDS to Reform and Downsize

143. The allegations contained in Paragraph 143 consist of Plaintiffs’ characterizations of an Executive Order, to which no response is required. To the extent that a response is deemed required, Defendants respectfully refer the Court to the cited Executive Order for a full and accurate statement of its contents.

144. The allegations contained in Paragraph 144 consist of Plaintiffs’ characterizations of a Presidential Memorandum, to which no response is required. To the extent that a response is deemed required, Defendants respectfully refer the Court to the cited Memorandum for a full and accurate statement of its contents.⁴⁵

145. The allegations contained in Paragraph 145 consist of Plaintiffs’ characterizations of various federal court “findings,” to which no response is required. To the extent that a response is deemed required, Defendants respectfully refer the Court to the cited caselaw for a full and

⁴⁴ Footnote 44 putatively consists of an online interview of the President, but the link does not function; therefore, no response is required. To the extent a proper link exists, Defendants respectfully refer the Court to the cited article for a full and accurate statement of its contents.

⁴⁵ Footnote 45 consists of a parallel citation to a Presidential Memorandum, to which no response is required. To the extent that a response is deemed required, Defendants respectfully refer the Court to the cited Memorandum for a full and accurate statement of its contents.

1 accurate statement of its contents, and otherwise deny the allegations.

2 146. The allegations contained in Paragraph 146 consist of Plaintiffs' characterizations
3 of an interview of Elon Musk, to which no response is required. To the extent that a response is
4 deemed required, Defendants respectfully refer the Court to the cited interview for a full and
5 accurate statement of its contents, and otherwise deny the allegations.⁴⁶

6 147. The allegations contained in Paragraph 147 consist of argument, legal conclusions,
7 and Plaintiffs' characterizations of Executive Orders, to which no response is required. To the
8 extent that a response is deemed required, Defendants respectfully refer the Court to the cited
9 Executive Orders for a full and accurate statement of their contents.

10 148. The allegations contained in Paragraph 148 consist of Plaintiffs' characterizations
11 of an Executive Order, to which no response is required. To the extent that a response is deemed
12 required, Defendants respectfully refer the Court to the cited Executive Order for a full and
13 accurate statement of its contents.

14 149. The allegations contained in Paragraph 149 consist of Plaintiffs' characterizations
15 of an Executive Order, to which no response is required. To the extent that a response is deemed
16 required, Defendants respectfully refer the Court to the cited Executive Order for a full and
17 accurate statement of its contents.

18 150. The allegations contained in Paragraph 150 consist of argument and Plaintiffs'
19 characterizations of an Executive Order and various online news articles, to which no response is
20 required. To the extent that a response is deemed required, Defendants respectfully refer the Court
21 to the cited sources for a full and accurate statement of their contents, and otherwise deny the
22
23
24
25

26 ⁴⁶ Footnote 45 consists of a parallel citation to an interview of Elon Musk, to which no
27 response is required. To the extent that a response is deemed required, Defendants respectfully
28 refer the Court to the cited interview and transcript for a full and accurate statement of their
contents.

1 allegations.^{47, 48, 49}

2 151. The allegations contained in Paragraph 151 consist of argument and legal
3 conclusions, to which no response is required. To the extent that a response is deemed required,
4 admitted that OPM announced and implemented a voluntary Deferred Resignation Program for
5 eligible federal employees titled “Fork in the Road” and transmitted a series of weekly emails over
6 a period of time requesting that federal employees respond providing a list of workplace activities
7 undertaken the previous week via 5 bullet points; otherwise, denied.

8 **B. President’s February 11, 2025 Executive Order to All Federal Agencies to**
9 **Downsize and Reorganize Themselves Via Agency RIF and Reorganization Plans**

10 152. The allegations contained in Paragraph 152 consist of Plaintiffs’ characterizations
11 of an Executive Order, to which no response is required. To the extent that a response is deemed
12 required, Defendants respectfully refer the Court to the cited Executive Order for a full and
13 accurate statement of its contents, and otherwise deny the allegations.

14 153. The allegations contained in Paragraph 153 consist of Plaintiffs’ characterizations
15 of an Executive Order, federal statutes, and a government website, to which no response is
16 required. To the extent that a response is deemed required, Defendants respectfully refer the Court
17 to the cited authorities for a full and accurate statement of their contents.⁵⁰

18
19
20 ⁴⁷ Footnote 47 consists of a citation to an online article, to which no response is required.
21 To the extent that a response is deemed required, Defendants respectfully refer the Court to the
22 cited article for a full and accurate statement of its contents.

23 ⁴⁸ Footnote 48 consists of a citation to an online article, to which no response is required.
24 To the extent that a response is deemed required, Defendants respectfully refer the Court to the
25 cited article for a full and accurate statement of its contents.

26 ⁴⁹ Footnote 49 consists of citation to online articles, to which no response is required. To
27 the extent that a response is deemed required, Defendants respectfully refer the Court to the cited
28 articles for a full and accurate statement of their contents.

⁵⁰ Footnote 50 consists of a citation to a government website, to which no response is
required. To the extent that a response is deemed required, Defendants respectfully refer the Court
to the cited website for a full and accurate statement of its contents.

1 154. The allegations contained in Paragraph 154 consist of Plaintiffs' characterizations
2 of an Executive Order, to which no response is required. To the extent that a response is deemed
3 required, Defendants respectfully refer the Court to the cited Executive Order for a full and
4 accurate statement of its contents.

5 155. The allegations contained in Paragraph 155 consist of argument, legal conclusions,
6 and Plaintiffs' characterizations of an Executive Order, to which no response is required. To the
7 extent that a response is deemed required, Defendants respectfully refer the Court to the cited
8 Executive Order for a full and accurate statement of its contents, and otherwise deny the
9 allegations. Defendants specifically deny that the President lacked authority to propound
10 Executive Order 14210.

11 156. The allegations contained in Paragraph 156 consist of Plaintiffs' characterizations
12 of an Executive Order, to which no response is required. To the extent that a response is deemed
13 required, Defendants respectfully refer the Court to the cited Executive Order for a full and
14 accurate statement of its contents.

15 157. The allegations contained in Paragraph 157 consist of Plaintiffs' characterizations
16 of an Executive Order, to which no response is required. To the extent that a response is deemed
17 required, Defendants respectfully refer the Court to the cited Executive Order for a full and
18 accurate statement of its contents.

19 158. The allegations contained in Paragraph 158 consist of argument and Plaintiffs'
20 characterizations of an Executive Order, to which no response is required. To the extent that a
21 response is deemed required, Defendants respectfully refer the Court to the cited Executive Order
22 for a full and accurate statement of its contents.

23
24 **C. OMB, OPM, and USDS Implementation of the President's Orders: February**
25 **26 Directive, March 13 Deadline, and April 14 Deadline**

26 159. The allegations contained in Paragraph 159 consist of Plaintiffs' characterizations
27 of an OMB and OPM Memorandum, to which no response is required. To the extent that a response
28 is deemed required, Defendants respectfully refer the Court to the cited Memorandum for a full

1 and accurate statement of its contents.

2 160. The allegations contained in Paragraph 160 consist of Plaintiffs' characterizations
3 of an OMB and OPM Memorandum, to which no response is required. To the extent that a response
4 is deemed required, Defendants respectfully refer the Court to the cited Memorandum for a full
5 and accurate statement of its contents.

6 161. The allegations contained in Paragraph 161 consist of Plaintiffs' characterizations
7 of an OMB and OPM Memorandum, to which no response is required. To the extent that a response
8 is deemed required, Defendants respectfully refer the Court to the cited Memorandum for a full
9 and accurate statement of its contents.

10 162. The allegations contained in Paragraph 162 consist of argument, legal conclusions,
11 and Plaintiffs' characterizations of an OMB and OPM Memorandum, to which no response is
12 required. To the extent that a response is deemed required, Defendants respectfully refer the Court
13 to the cited Memorandum for a full and accurate statement of its contents, and otherwise deny the
14 allegations. Defendants specifically deny that OMB and OPM lacked authority to propound the
15 Memorandum.
16

17 163. The allegations contained in Paragraph 163 consist of Plaintiffs' characterizations
18 of an OMB and OPM Memorandum, to which no response is required. To the extent that a response
19 is deemed required, Defendants respectfully refer the Court to the cited Memorandum for a full
20 and accurate statement of its contents.

21 164. The allegations contained in Paragraph 164 consist of Plaintiffs' characterizations
22 of an OMB and OPM Memorandum, to which no response is required. To the extent that a response
23 is deemed required, Defendants respectfully refer the Court to the cited Memorandum for a full
24 and accurate statement of its contents.

25 165. The allegations contained in Paragraph 165 consist of Plaintiffs' characterizations
26 of an OMB and OPM Memorandum, to which no response is required. To the extent that a response
27 is deemed required, Defendants respectfully refer the Court to the cited Memorandum for a full
28 and accurate statement of its contents.

1 166. The allegations contained in Paragraph 166 consist of Plaintiffs' characterizations
2 of an OMB and OPM Memorandum, to which no response is required. To the extent that a response
3 is deemed required, Defendants respectfully refer the Court to the cited Memorandum for a full
4 and accurate statement of its contents.

5 167. The allegations contained in Paragraph 167 consist of Plaintiffs' characterizations
6 of an OMB and OPM Memorandum, to which no response is required. To the extent that a response
7 is deemed required, Defendants respectfully refer the Court to the cited Memorandum for a full
8 and accurate statement of its contents.

9 168. The allegations contained in Paragraph 168 consist of Plaintiffs' characterizations
10 of an OMB and OPM Memorandum, to which no response is required. To the extent that a response
11 is deemed required, Defendants respectfully refer the Court to the cited Memorandum for a full
12 and accurate statement of its contents.

13 169. The allegations contained in Paragraph 169 consist of Plaintiffs' characterizations
14 of an OMB and OPM Memorandum, and a federal regulation and federal statute, to which no
15 response is required. To the extent that a response is deemed required, Defendants respectfully
16 refer the Court to the cited authorities for a full and accurate statement of their contents.

17 170. The allegations contained in Paragraph 170 consist of Plaintiffs' characterizations
18 of an OMB and OPM Memorandum, to which no response is required. To the extent that a response
19 is deemed required, Defendants respectfully refer the Court to the cited Memorandum for a full
20 and accurate statement of its contents.

21 171. The allegations contained in Paragraph 171 consist of Plaintiffs' speculation ("on
22 information and belief"), argument, legal conclusions, and Plaintiffs' characterizations of an OMB
23 and OPM Memorandum, to which no response is required. To the extent that a response is deemed
24 required, Defendants respectfully refer the Court to the cited Memorandum for a full and accurate
25 statement of its contents, and otherwise deny the allegations. Defendants specifically deny that
26 OMB and OPM lacked authority to propound the Memorandum.

27 172. The allegations contained in Paragraph 172 consist of argument, legal conclusions,
28

1 and Plaintiffs' characterizations of an OMB and OPM Memorandum, to which no response is
2 required. To the extent that a response is deemed required, Defendants respectfully refer the Court
3 to the cited Memorandum for a full and accurate statement of its contents, and otherwise deny the
4 allegations. Defendants specifically deny that OMB and OPM lacked authority to propound the
5 Memorandum.

6 173. The allegations contained in Paragraph 173 consist of argument, legal conclusions,
7 and Plaintiffs' characterizations of an OMB and OPM Memorandum, to which no response is
8 required. To the extent that a response is deemed required, Defendants respectfully refer the Court
9 to the cited Memorandum for a full and accurate statement of its contents, and otherwise deny the
10 allegations. Defendants specifically deny that OMB and OPM lacked authority to propound the
11 Memorandum.

12 174. The allegations contained in Paragraph 174 consist of Plaintiffs' speculation ("on
13 information and belief"), argument, and legal conclusions, to which no response is required. To
14 the extent that a response is deemed required, denied.

15 175. The allegations contained in Paragraph 175 consist of argument, legal conclusions,
16 and Plaintiffs' characterizations of an Executive Order and OMB and OPM Memorandum, to
17 which no response is required. To the extent that a response is deemed required, denied.

18 **D. OMB, OPM, and USDS Lack of Statutory Authority to Order Agencies to**
19 **Reorganize or Engage in a RIF**
20

21 176. The allegations contained in Paragraph 176 consist of argument, legal conclusions,
22 and Plaintiffs' characterizations of federal statutes, to which no response is required. To the extent
23 that a response is deemed required, Defendants respectfully refer the Court to the cited statutes for
24 a full and accurate statement of their contents, and otherwise deny the allegations. Defendants
25 specifically deny that OMB and OPM lacked authority to propound the Memorandum.

26 177. The allegations contained in Paragraph 177 consist of argument, legal conclusions,
27 and Plaintiffs' characterizations of federal statutes and Court orders, to which no response is
28 required. To the extent that a response is deemed required, Defendants respectfully refer the Court

1 to the cited authorities for a full and accurate statement of their contents, and otherwise deny the
 2 allegations. Defendants specifically deny that OMB and OPM lacked authority to propound the
 3 Memorandum.

4 178. The allegations contained in Paragraph 178 consist of argument and legal
 5 conclusions, to which no response is required. To the extent that a response is deemed required,
 6 denied.

7 **E. The Administration's Lack of Transparency Regarding Reorganization Plans**

8 179. Admitted that the Trump Administration has never made public a written "18-
 9 month DOGE agenda" referenced in Executive Order 14158; denied that the Administration was
 10 under any legal or other obligation to do so, to the extent it exists.

11 180. Admitted that the Trump Administration has never made public any USDS-created
 12 written plan to "reduce the size of the Federal Government's workforce"; denied that the
 13 Administration was under any legal or other obligation to make public any such plan, to the extent
 14 it exists.

15 181. The allegations contained in Paragraph 181 consist of Plaintiffs' characterizations
 16 of an interview of Elon Musk, to which no response is required. To the extent that a response is
 17 deemed required, Defendants respectfully refer the Court to the cited interview for a full and
 18 accurate statement of its contents, and otherwise deny the allegations. Defendants specifically deny
 19 the allegation that Mr. Musk was speaking "on behalf of USDS."⁵¹
 20

21 182. Admitted that the Administration has generally not made public any phase-one
 22 agency ARRs; denied that the Administration was under any legal or other obligation to do so,
 23 given that any such ARRs are subject to the deliberative process privilege.

24 183. Admitted that the Administration has generally not made public any phase-one
 25

26 ⁵¹ Footnote 51 consists of an internal cross reference to Footnote 9. Footnote 9 consists of
 27 a citation to an online article, to which no response is required. To the extent that a response is
 28 deemed required, Defendants respectfully refer the Court to the cited source for a full and accurate
 statement of its contents.

1 agency ARRs; denied that the Administration was under any legal or other obligation to do so,
 2 given that any such ARRs are subject to the deliberative process privilege.

3 184. The allegations contained in Paragraph 184 consist of Plaintiffs' characterizations
 4 of an Executive Order, to which no response is required. To the extent that a response is deemed
 5 required, Defendants respectfully refer the Court to the Executive Order for a full and accurate
 6 statement of its contents.

7 185. The allegations contained in Paragraph 185 consist of Plaintiffs' characterizations
 8 of a Washington Post article, to which no response is required. To the extent that a response is
 9 deemed required, Defendants respectfully refer the Court to the article for a full and accurate
 10 statement of its contents.⁵²

11 186. The allegations contained in Paragraph 186 consist of Plaintiffs' characterizations
 12 of a Washington Post article, to which no response is required. To the extent that a response is
 13 deemed required, Defendants respectfully refer the Court to the article for a full and accurate
 14 statement of its contents.⁵³

15 187. The allegations contained in Paragraph 187 consist of Plaintiffs' characterizations
 16 of a KTNV article, to which no response is required. To the extent that a response is deemed
 17 required, Defendants respectfully refer the Court to the article for a full and accurate statement of
 18 its contents.⁵⁴

19 188. Admitted that the Administration has not made public any phase-two agency
 20 ARRs; denied that the Administration was under any legal or other obligation to do so, given that
 21

22 ⁵² Footnote 52 consists of a citation to an online article, to which no response is required.
 23 To the extent that a response is deemed required, Defendants respectfully refer the Court to the
 24 cited source for a full and accurate statement of its contents.

25 ⁵³ Footnote 53 consists of a citation to an online article, to which no response is required.
 26 To the extent that a response is deemed required, Defendants respectfully refer the Court to the
 27 cited source for a full and accurate statement of its contents.

28 ⁵⁴ Footnote 54 consists of a citation to an online article, to which no response is required.
 To the extent that a response is deemed required, Defendants respectfully refer the Court to the
 cited source for a full and accurate statement of its contents.

any such ARRs are subject to the deliberative process privilege.

189. Admitted that members of Congress have submitted requests for information to the Administration regarding phase-one and phase-two ARRs.

190. The allegations contained in Paragraph 190 consist of Plaintiffs' characterizations of a congressional "demand letter," to which no response is required. To the extent that a response is deemed required, Defendants respectfully refer the Court to the cited letter for a full and accurate statement of its contents.⁵⁵

191. The allegations contained in Paragraph 191 consist of Plaintiffs' characterizations of a letter from a group of Senators to OPM and OMB, to which no response is required. To the extent that a response is deemed required, Defendants respectfully refer the Court to the cited letter for a full and accurate statement of its contents.

192. The allegations contained in Paragraph 192 consist of argument, legal conclusions, and Plaintiffs' characterizations of an interview of Elon Musk and others on Fox News, to which no response is required. To the extent that a response is deemed required, Defendants respectfully refer the Court to the cited interview for a full and accurate statement of its contents.⁵⁶

F. Implementation of the President's Mandated ARRs

193. The allegations contained in Paragraph 193 consist of Plaintiffs' speculation regarding the content of ARRs for which Plaintiffs do not provide a source or any other identifying information; therefore, no response is required. To the extent that a response is deemed required, Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations contained in Paragraph 193.

⁵⁵ Footnote 55 consists of a parallel citation to a "demand letter" from Jeffrey Merkley to Russell Vought, to which no response is required. To the extent that a response is deemed required, Defendants respectfully refer the Court to the cited letter for a full and accurate statement of its contents.

⁵⁶ Footnote 56 consists of an internal cross reference to Footnote 9. Footnote 9 consists of a citation to an online article, to which no response is required. To the extent that a response is deemed required, Defendants respectfully refer the Court to the cited source for a full and accurate statement of its contents.

1 **1. OMB, OPM, and USDS Review, Approval, and Direction of ARRs**

2 194. The allegations contained in Paragraph 194 consist of argument, legal conclusions,
3 and Plaintiffs' speculation regarding the content of ARRs for which Plaintiffs do not provide a
4 source or any other identifying information; therefore, no response is required. To the extent that
5 a response is deemed required, Defendants specifically deny that all Federal Agency Defendants
6 submitted phase-one and phase-two ARRs pursuant to the Executive Order and OMB/OPM
7 Memorandum.

8 195. The allegations contained in Paragraph 195 consist of argument, legal conclusions,
9 and Plaintiffs' speculation regarding OMB and OPM's response to ARRs for which Plaintiffs do
10 not provide a source or any other identifying information; therefore, no response is required. To
11 the extent that a response is deemed required, denied.

12 196. Defendants deny the allegations as stated in the first sentence of Paragraph 196. As
13 to the second sentence of Paragraph 196, denied, except to admit that Brad Smith, Kendall
14 Lindemann, Stephanie Holmes, and Kaydee James did work related to ARRs. As to the third
15 sentence of Paragraph 196, admitted.

16 197. The allegations contained in Paragraph 197 consist of Plaintiffs' speculation ("on
17 information and belief") regarding the alleged status of planned reductions-in-force as of April 13,
18 2025, for which Plaintiffs do not provide a source; therefore, no response is required. To the extent
19 that a response is deemed required, Defendants admit that certain agencies among those named in
20 Paragraph 197 planned to implement RIFs by April 13, 2025, or a date thereafter.

21 **2. Ongoing RIFs and Reorganization**

22 198. Admitted that, as of May 14, 2025, certain Federal Agency Defendants had notified
23 employees of intended reductions-in-force. Otherwise, denied.

24 • **Health and Human Services**

25 199. The allegations contained in Paragraph 199 consist of Plaintiffs'
26 characterizations of an HHS announcement, to which no response is required. To the extent that a
27
28

1 response is deemed required, Defendants respectfully refer the Court to the cited announcement
2 for a full and accurate statement of its contents.⁵⁷

3 200. The allegations contained in Paragraph 200 consist of Plaintiffs'
4 characterizations of an HHS announcement and Fact Sheet, to which no response is required. To
5 the extent that a response is deemed required, Defendants respectfully refer the Court to the cited
6 sources for a full and accurate statement of their contents.⁵⁸

7 201. The allegations contained in Paragraph 201 consist of Plaintiffs'
8 characterizations of an HHS Fact Sheet, to which no response is required. To the extent that a
9 response is deemed required, Defendants respectfully refer the Court to the cited Fact Sheet for a
10 full and accurate statement of its contents.

11 202. Defendants admit that HHS issued RIF notices, some of which were subsequently
12 rescinded, to certain employees at CDC, including to certain employees at the STD lab branch;
13 certain employees who had been responding to a measles outbreak in Texas; certain employees in
14 offices on injury control, birth defects, and smoking and health; and certain NIOSH employees.
15 Defendants further admit that HHS issued RIF notices to certain employees at ACF who
16 administered programs that paid for the heating and cooling bills for low-income households and
17 who supported the development of child welfare information systems that house data related to
18 child abuse and neglect. Defendants otherwise deny the allegations in the first three sentences of
19 Paragraph 202. The allegations contained in the last sentence of Paragraph 202 consist of
20 Plaintiffs' characterizations of a Politico article, to which no response is required. To the extent
21
22
23
24

25 ⁵⁷ Footnote 57 consists of a citation to an HHS announcement, to which no response is
26 required. To the extent that a response is deemed required, Defendants respectfully refer the Court
to the cited source for a full and accurate statement of its contents.

27 ⁵⁸ Footnote 58 consists of a citation to an HHS Fact Sheet, to which no response is required.
28 To the extent that a response is deemed required, Defendants respectfully refer the Court to the
cited Fact Sheet for a full and accurate statement of its contents.

1 that a response is deemed required, Defendants respectfully refer the Court to the cited article for
2 a full and accurate statement of its contents.⁵⁹

3 203. The allegations contained in Paragraph 203 consist of Plaintiffs'
4 characterizations of a New York Times article, to which no response is required. To the extent that
5 a response is deemed required, Defendants respectfully refer the Court to the cited article for a full
6 and accurate statement of its contents.⁶⁰

7 204. Admitted that HHS has not made public any phase-one or phase-two agency
8 ARRs; denied that HHS was under any legal or other obligation to do so, given that any such
9 ARRs are subject to the deliberative process privilege.

10 • **Department of Labor**

11 205. The allegations contained in Paragraph 205 consist of Plaintiffs'
12 characterizations of a Bloomberg Law article, to which no response is required. To the extent that
13 a response is deemed required, Defendants respectfully refer the Court to the cited article for a full
14 and accurate statement of its contents.⁶¹

15 206. The allegations contained in Paragraph 206 consist of Plaintiffs'
16 characterizations of an uncited OPM communication to DOL, to which no response is required.
17 To the extent that a response is deemed required, Defendants respectfully refer the Court to the
18 (uncited) source for a full and accurate statement of its contents.

19 207. The allegations contained in Paragraph 207 consist of Plaintiffs'
20 characterizations of a Bloomberg Law article, to which no response is required. To the extent that
21

22 ⁵⁹ Footnote 59 consists of a citation to an online article by Politico, to which no response
23 is required. To the extent that a response is deemed required, Defendants respectfully refer the
24 Court to the cited article for a full and accurate statement of its contents.

25 ⁶⁰ Footnote 60 consists of a parallel citation to a New York Times article, to which no
26 response is required. To the extent that a response is deemed required, Defendants respectfully
27 refer the Court to the cited article for a full and accurate statement of its contents.

28 ⁶¹ Footnote 61 consists of a citation to an online article by Bloomberg Law, to which no
response is required. To the extent that a response is deemed required, Defendants respectfully
refer the Court to the cited article for a full and accurate statement of its contents.

1 a response is deemed required, Defendants respectfully refer the Court to the cited article for a full
2 and accurate statement of its contents.⁶²

3 208. Admitted that DOL has not made public any phase-one or phase-two agency
4 ARRs; denied that DOL was under any legal or other obligation to do so, given that any such
5 ARRs are subject to the deliberative process privilege.

6 • **AmeriCorps**

7 209. The allegations contained in Paragraph 209 consist of Plaintiffs'
8 characterizations of an uncited AmeriCorps announcement, to which no response is required. To
9 the extent that a response is deemed required, Defendants respectfully refer the Court to the
10 (uncited) source for a full and accurate statement of its contents.

11 210. Admitted that on April 16, 2025, AmeriCorps began sending individually-
12 addressed notices of administrative leave to AmeriCorps agency staff, both at headquarters in
13 Washington, D.C. and in regional offices across the country, placing the vast majority of them on
14 leave and locking them out of their computer systems shortly thereafter; otherwise denied.

15 211. The allegations contained in Paragraph 211 consist of Plaintiffs'
16 characterizations of a New York Times article, to which no response is required. To the extent that
17 a response is deemed required, Defendants respectfully refer the Court to the cited article for a full
18 and accurate statement of its contents.

19 212. Admitted that, on April 24, 2025, AmeriCorps began delivery of RIF notices.

20 213. Admitted that AmeriCorps has not made public any phase-one or phase-two
21 agency ARRs; denied that AmeriCorps was under any legal or other obligation to do so, given
22 that any such ARRs are subject to the deliberative process privilege.

23 • **Small Business Administration**

24 214. The allegations contained in Paragraph 214 consist of Plaintiffs'
25 characterizations of an online article, to which no response is required. To the extent that a response
26

27 ⁶² Footnote 62 consists of a citation to an online article by Bloomberg Law, to which no
28 response is required. To the extent that a response is deemed required, Defendants respectfully
refer the Court to the cited article for a full and accurate statement of its contents.

1 is deemed required, Defendants respectfully refer the Court to the cited article for a full and
2 accurate statement of its contents.⁶³

3 215. Admitted.

4 216. The allegations contained in Paragraph 216 consist of Plaintiffs'
5 characterizations of a news release issued by the SBA, to which no response is required. To the
6 extent that a response is deemed required, Defendants respectfully refer the Court to the cited news
7 release for a full and accurate statement of its contents.⁶⁴

8 217. The allegations contained in Paragraph 217 consist of Plaintiffs'
9 characterizations of a news release issued by the SBA, to which no response is required. To the
10 extent that a response is deemed required, Defendants respectfully refer the Court to the cited news
11 release for a full and accurate statement of its contents.

12 218. Denied, except to admit that the SBA has not made its ARRs public.

13 • **Environmental Protection Agency**

14 219. The allegations contained in Paragraph 219 consist of Plaintiffs'
15 characterizations of an online Reuters article, to which no response is required. To the extent that
16 a response is deemed required, Defendants respectfully refer the Court to the cited article for a full
17 and accurate statement of its contents.⁶⁵

18 220. Denied.

19 221. The allegations contained in Paragraph 221 consist of Plaintiffs'
20 characterizations of a New York Times article, to which no response is required. To the extent that
21

22 ⁶³ Footnote 63 consists of a citation to an online article by Government Exec, to which no
23 response is required. To the extent that a response is deemed required, Defendants respectfully
24 refer the Court to the cited article for a full and accurate statement of its contents.

25 ⁶⁴ Footnote 64 consists of a citation to an online news release by the SBA, to which no
26 response is required. To the extent that a response is deemed required, Defendants respectfully
27 refer the Court to the cited news release for a full and accurate statement of its contents.

28 ⁶⁵ Footnote 65 consists of a citation to an online Reuters article, to which no response is
required. To the extent that a response is deemed required, Defendants respectfully refer the Court
to the cited article for a full and accurate statement of its contents.

1 a response is deemed required, Defendants respectfully refer the Court to the cited article for a full
2 and accurate statement of its contents.⁶⁶

3 222. The allegations contained in Paragraph 222 consist of Plaintiffs'
4 characterizations of a letter purportedly sent to members of Congress, to which no response is
5 required. To the extent that a response is deemed required, Defendants respectfully refer the Court
6 to the cited letter for a full and accurate statement of its contents.⁶⁷

7 223. The allegations contained in Paragraph 223 consist largely of Plaintiffs'
8 characterizations of a news release and an NPR article, to which no response is required. To the
9 extent that a response is deemed required, Defendants respectfully refer the Court to the cited
10 article for a full and accurate statement of its contents. To the extent a further response is deemed
11 required, Defendants deny the allegations.^{68, 69}

12 224. Denied, except to admit that the EPA has not made its ARRs public.

13 • **Housing and Urban Development**

14 225. Denied, except to admit that some FPM employees received RIF notices that
15 were subsequently rescinded.

16 226. Denied, except to admit that HUD has not made its ARRs public.

17 • **General Services Administration**

18
19
20 ⁶⁶ Footnote 66 consists of a citation to a New York Times article, to which no response is
21 required. To the extent that a response is deemed required, Defendants respectfully refer the Court
22 to the cited article for a full and accurate statement of its contents.

23 ⁶⁷ Footnote 67 consists of a citation to a letter purportedly sent to members of Congress, to
24 which no response is required. To the extent that a response is deemed required, Defendants
25 respectfully refer the Court to the cited letter for a full and accurate statement of its contents.

26 ⁶⁸ Footnote 68 consists of a citation to an EPA news release, to which no response is
27 required. To the extent that a response is deemed required, Defendants respectfully refer the Court
28 to the cited article for a full and accurate statement of its contents.

⁶⁹ Footnote 69 consists of a citation to an NPR article, to which no response is required. To
the extent that a response is deemed required, Defendants respectfully refer the Court to the cited
article for a full and accurate statement of its contents.

1 227. The allegations contained in Paragraph 227 consist of Plaintiffs'
2 characterizations of two online news articles, to which no response is required. To the extent that
3 a response is deemed required, Defendants respectfully refer the Court to the cited articles for a
4 full and accurate statement of their contents.^{70, 71}

5 228. Denied, except to admit that GSA has not made its ARRPs public.

6 • **OPM**

7 229. The allegations contained in Paragraph 229 consist of Plaintiffs'
8 characterizations of an online news article, to which no response is required. To the extent that a
9 response is deemed required, Defendants respectfully refer the Court to the cited article for a full
10 and accurate statement of its contents.⁷²

11 230. Denied, except to admit that OPM has not made any ARRPs public.

12 **2. Imminent RIFs in Service of Government-wide Reorganization**

13 231. The allegations contained in Paragraph 231 consist of Plaintiffs'
14 characterizations of the ensuing paragraphs, to which no response is required. Otherwise, denied.

15 • **USDA**

16 232. Denied, except to admit that USDA has not made its ARRPs public.

17 233. The allegations contained in Paragraph 233 consist of Plaintiffs'
18 characterizations of an online news article, to which no response is required. To the extent that a
19
20
21

22 ⁷⁰ Footnote 70 consists of a citation to an online news article, to which no response is
23 required. To the extent that a response is deemed required, Defendants respectfully refer the Court
24 to the cited article for a full and accurate statement of its contents.

25 ⁷¹ Footnote 71 consists of a citation to an online news article, to which no response is
26 required. To the extent that a response is deemed required, Defendants respectfully refer the Court
27 to the cited article for a full and accurate statement of its contents.

28 ⁷² Footnote 72 consists of a citation to an online news article, to which no response is
required. To the extent that a response is deemed required, Defendants respectfully refer the Court
to the cited article for a full and accurate statement of its contents.

1 response is deemed required, Defendants respectfully refer the Court to the cited article for a full
2 and accurate statement of its contents.⁷³

3 234. The allegations contained in Paragraph 234 consist of Plaintiffs'
4 characterizations of the same online news article cited in Footnote 72, to which no response is
5 required. To the extent that a response is deemed required, Defendants respectfully refer the Court
6 to the cited article for a full and accurate statement of its contents.

7 235. The allegations contained in Paragraph 235 consist of Plaintiffs'
8 characterizations of an online news article, to which no response is required. To the extent that a
9 response is deemed required, Defendants respectfully refer the Court to the cited article for a full
10 and accurate statement of its contents.⁷⁴

11 • **Department of Commerce**

12 236. The allegations contained in Paragraph 236 consist of Plaintiffs'
13 characterizations of two online news articles, to which no response is required. To the extent that
14 a response is deemed required, Defendants respectfully refer the Court to the cited articles for a
15 full and accurate statement of their contents.^{75, 76}

16 237. Admitted that the Commerce Department has not made public any phase-one
17 or phase-two agency ARRs; denied that Commerce was under any legal or other obligation to do
18 so, given that any such ARRs are subject to the deliberative-process privilege.

19
20 ⁷³ Footnote 73 consists of a citation to an online news article, to which no response is
21 required. To the extent that a response is deemed required, Defendants respectfully refer the Court
22 to the cited article for a full and accurate statement of its contents.

23 ⁷⁴ Footnote 74 consists of a citation to an online news article, to which no response is
24 required. To the extent that a response is deemed required, Defendants respectfully refer the Court
25 to the cited article for a full and accurate statement of its contents.

26 ⁷⁵ Footnote 75 consists of a citation to an online news article, to which no response is
27 required. To the extent that a response is deemed required, Defendants respectfully refer the Court
28 to the cited article for a full and accurate statement of its contents.

⁷⁶ Footnote 76 consists of a citation to an online news article, to which no response is
required. To the extent that a response is deemed required, Defendants respectfully refer the Court
to the cited article for a full and accurate statement of its contents.

1 • **Department of Defense**

2 238. The allegations contained in Paragraph 238 consist of Plaintiffs'
3 characterizations of an online news article, to which no response is required. To the extent that a
4 response is deemed required, Defendants respectfully refer the Court to the cited article for a full
5 and accurate statement of its contents.⁷⁷

6 239. Denied, except to admit that the Defense Department has not made its ARRP
7 public.

8 • **Department of Energy**

9 240. The allegations contained in Paragraph 240 consist of Plaintiffs'
10 characterizations of an online news article, to which no response is required. To the extent that a
11 response is deemed required, Defendants respectfully refer the Court to the cited article for a full
12 and accurate statement of its contents.⁷⁸

13 241. The allegations contained in Paragraph 241 consist of Plaintiffs'
14 characterizations of two online news articles, to which no response is required. To the extent that
15 a response is deemed required, Defendants respectfully refer the Court to the cited articles for a
16 full and accurate statement of their contents.⁷⁹

17 242. Defendants lack knowledge or information sufficient to form a belief about the
18 truth of the allegations contained in Paragraph 242.

19 243. Denied, except to admit that the Energy Department has not made its ARRP
20 public.

21 • **Department of the Interior**

22 ⁷⁷ Footnote 77 consists of a citation to an online news article, to which no response is
23 required. To the extent that a response is deemed required, Defendants respectfully refer the Court
24 to the cited article for a full and accurate statement of its contents.

25 ⁷⁸ Footnote 78 consists of a citation to an online news article, to which no response is
26 required. To the extent that a response is deemed required, Defendants respectfully refer the Court
to the cited article for a full and accurate statement of its contents.

27 ⁷⁹ Footnote 79 consists of a citation to an online news article, to which no response is
28 required. To the extent that a response is deemed required, Defendants respectfully refer the Court
to the cited article for a full and accurate statement of its contents.

1 244. The allegations contained in Paragraph 244 consist of Plaintiffs’
 2 characterizations of an online news article, to which no response is required. To the extent that a
 3 response is deemed required, Defendants respectfully refer the Court to the cited article for a full
 4 and accurate statement of its contents.⁸⁰

5 245. Defendants admit that on April 17, 2025, the Secretary of the Interior issued
 6 an order containing the language quoted in Paragraph 245. The remaining allegations contained
 7 in this Paragraph consist of Plaintiffs’ characterizations of an online news article, to which no
 8 response is required. To the extent that a response is deemed required, Defendants respectfully
 9 refer the Court to the cited article for a full and accurate statement of its contents.⁸¹

10 246. The allegations contained in Paragraph 246 consist of Plaintiffs’
 11 characterizations of an online news article, to which no response is required. To the extent that a
 12 response is deemed required, Defendants respectfully refer the Court to the cited article for a full
 13 and accurate statement of its contents.^{82, 83}

14 247. Defendants admit that the Department of the Interior has not publicly provided
 15 details regarding its ARRs or any employees who may be impacted by any agency reorganization.
 16 Defendants lack knowledge or information sufficient to form a belief about the truth of the
 17 remaining allegations contained in Paragraph 247, which quote from “[a]n earlier memo” without
 18 citation.

19
 20 ⁸⁰ Footnote 80 consists of a citation to an online news article, to which no response is
 21 required. To the extent that a response is deemed required, Defendants respectfully refer the Court
 22 to the cited article for a full and accurate statement of its contents.

23 ⁸¹ Footnote 81 consists of a citation to an online news article, to which no response is
 24 required. To the extent that a response is deemed required, Defendants respectfully refer the Court
 25 to the cited article for a full and accurate statement of its contents.

26 ⁸² Footnote 82 consists of a citation to an online news article, to which no response is
 27 required. To the extent that a response is deemed required, Defendants respectfully refer the Court
 28 to the cited article for a full and accurate statement of its contents.

⁸³ Footnote 83 consists of a citation to an online news article, to which no response is
 required. To the extent that a response is deemed required, Defendants respectfully refer the Court
 to the cited article for a full and accurate statement of its contents.

1 248. The allegations contained in Paragraph 248 consist of Plaintiffs'
2 characterizations of two online news articles, to which no response is required. To the extent that
3 a response is deemed required, Defendants respectfully refer the Court to the cited articles for a
4 full and accurate statement of their contents.^{84, 85}

5 249. The allegations contained in Paragraph 249 consist of Plaintiffs'
6 characterizations of an online news article, to which no response is required. To the extent that a
7 response is deemed required, Defendants respectfully refer the Court to the cited article for a full
8 and accurate statement of its contents.⁸⁶

9 250. Denied, except to admit that the Interior Department has not made its ARRP
10 public.

11 • **National Labor Relations Board**

12 251. To the extent that this Paragraph purports to reflect the content of NLRB's
13 ARRP, Defendants neither admit nor deny the allegations because that information is protected by
14 the deliberative-process privilege. To the extent that this Paragraph characterizes an online news
15 article, no response is required, but to the extent a response is deemed required, Defendants
16 respectfully refer the Court to the cited article for a full and accurate statement of its contents.
17 Otherwise, denied.⁸⁷

18 252. Denied.

20 ⁸⁴ Footnote 84 consists of a citation to an online news article, to which no response is
21 required. To the extent that a response is deemed required, Defendants respectfully refer the Court
22 to the cited article for a full and accurate statement of its contents.

23 ⁸⁵ Footnote 85 consists of a citation to an online news article, to which no response is
24 required. To the extent that a response is deemed required, Defendants respectfully refer the Court
25 to the cited article for a full and accurate statement of its contents.

26 ⁸⁶ Footnote 86 consists of a citation to an online news article, to which no response is
27 required. To the extent that a response is deemed required, Defendants respectfully refer the Court
28 to the cited article for a full and accurate statement of its contents.

29 ⁸⁷ Footnote 87 consists of a citation to an online news article, to which no response is
30 required. To the extent that a response is deemed required, Defendants respectfully refer the Court
31 to the cited article for a full and accurate statement of its contents.

253. Denied, except to admit that the NLRB has not made its ARRs public.

• **National Science Foundation**

254. To the extent that this Paragraph purports to reflect the content of NSF's ARR, Defendants neither admit nor deny the allegations because that information is protected by the deliberative-process privilege. To the extent that this Paragraph characterizes an online news article, no response is required, but to the extent a response is deemed required, Defendants respectfully refer the Court to the cited article for a full and accurate statement of its contents. Otherwise, denied.⁸⁸

255. The allegations contained in Paragraph 255 consist largely of Plaintiffs' characterizations of an online news article, to which no response is required. To the extent that a response is deemed required, Defendants respectfully refer the Court to the cited article for a full and accurate statement of its contents. Defendants admit that on May 9, 2025, NSF sent RIF notices to all employees working in the Division of Equity for Excellence in STEM. Otherwise, denied.⁸⁹

256. Denied, except to admit that NSF has not made any ARRs public.

• **Social Security Administration**

257. To the extent that the allegations in Paragraph 257 purport to reflect the content of SSA's ARR, Defendants neither admit nor deny the allegations because that information is protected by the deliberative-process privilege. To the extent that this Paragraph characterizes an online news article, no response is required, but to the extent a response is deemed required,

⁸⁸ Footnote 88 consists of a citation to an online news article, to which no response is required. To the extent that a response is deemed required, Defendants respectfully refer the Court to the cited article for a full and accurate statement of its contents.

⁸⁹ Footnote 89 consists of a citation to an online news article, to which no response is required. To the extent that a response is deemed required, Defendants respectfully refer the Court to the cited article for a full and accurate statement of its contents.

1 Defendants respectfully refer the Court to the cited article for a full and accurate statement of its
2 contents. Otherwise, denied.^{90, 91}

3 258. To the extent that this Paragraph reflects the content of SSA's ARRPs,
4 Defendants neither admit nor deny the allegations because that information is protected by the
5 deliberative-process privilege. Otherwise, denied.

6 259. The allegations contained in Paragraph 259 consist of Plaintiffs'
7 characterizations of an online news article, to which no response is required. To the extent that a
8 response is deemed required, Defendants respectfully refer the Court to the cited article for a full
9 and accurate statement of its contents.⁹²

10 260. Denied, except to admit that the SSA has not made any ARRPs public.

11 • **State Department**

12 261. The allegations contained in Paragraph 261 consist of Plaintiffs'
13 characterizations of an online news article, to which no response is required. To the extent that a
14 response is deemed required, Defendants respectfully refer the Court to the cited article for a full
15 and accurate statement of its contents. Otherwise, denied.⁹³

16 262. The allegations contained in Paragraph 262 consist of Plaintiffs'
17 characterizations of a press statement, to which no response is required. To the extent that a
18

19
20 ⁹⁰ Footnote 90 consists of a citation to an online news article, to which no response is
21 required. To the extent that a response is deemed required, Defendants respectfully refer the Court
22 to the cited article for a full and accurate statement of its contents.

23 ⁹¹ Footnote 91 consists of a citation to an online news article, to which no response is
24 required. To the extent that a response is deemed required, Defendants respectfully refer the Court
25 to the cited article for a full and accurate statement of its contents.

26 ⁹² Footnote 92 consists of a citation to an online news article, to which no response is
27 required. To the extent that a response is deemed required, Defendants respectfully refer the Court
28 to the cited article for a full and accurate statement of its contents.

⁹³ Footnote 93 consists of a citation to an online news article, to which no response is
required. To the extent that a response is deemed required, Defendants respectfully refer the Court
to the cited article for a full and accurate statement of its contents.

1 response is deemed required, Defendants respectfully refer the Court to the cited press statement
2 for a full and accurate statement of its contents.⁹⁴

3 263. Admitted.⁹⁵

4 264. Defendants lack knowledge or information sufficient to form a belief about the
5 truth of the allegations contained in 264, which quotes from “an ‘FAQ’” but includes no citation
6 or other identification.

7 265. Defendants lack knowledge or information sufficient to form a belief about the
8 truth of the allegations contained in Paragraph 265, which quotes from an uncited and unidentified
9 source.

10 266. The allegations contained in Paragraph 266 consist of Plaintiffs’
11 characterizations of a blog post, to which no response is required. To the extent that a response is
12 deemed required, Defendants respectfully refer the Court to the cited blog post for a full and
13 accurate statement of its contents.⁹⁶

14 267. The allegations contained in Paragraph 267 consist of Plaintiffs’
15 characterizations of an online news article, to which no response is required. To the extent that a
16 response is deemed required, Defendants respectfully refer the Court to the cited article for a full
17 and accurate statement of its contents.⁹⁷ Otherwise, denied.

18
19
20 ⁹⁴ Footnote 94 consists of a citation to an online press statement released by the State
21 Department, to which no response is required. To the extent that a response is deemed required,
22 Defendants respectfully refer the Court to the cited press statement for a full and accurate statement
23 of its contents.

24 ⁹⁵ Footnote 95 consists of a citation to an online news article, to which no response is
25 required. To the extent that a response is deemed required, Defendants respectfully refer the Court
26 to the cited article for a full and accurate statement of its contents.

27 ⁹⁶ Footnote 96 consists of a citation to an online blogpost, to which no response is required.
28 To the extent that a response is deemed required, Defendants respectfully refer the Court to the
cited blog post for a full and accurate statement of its contents.

⁹⁷ Footnote 97 consists of a citation to an online news article, to which no response is
required. To the extent that a response is deemed required, Defendants respectfully refer the Court
to the cited article for a full and accurate statement of its contents.

1 268. Denied, except to admit that the State Department has not made any ARRP's
2 public.

3 • **Department of Transportation**

4 269. The allegations contained in Paragraph 269 consist of Plaintiffs'
5 characterizations of an online news article, to which no response is required. To the extent that a
6 response is deemed required, Defendants respectfully refer the Court to the cited article for a full
7 and accurate statement of its contents.⁹⁸

8 270. Denied, except to admit that the Department of Transportation has not made
9 any ARRP's public.

10 • **Peace Corps**

11 271. The allegations contained in Paragraph 271 consist of Plaintiffs'
12 characterizations of an online news article, to which no response is required. To the extent that a
13 response is deemed required, Defendants respectfully refer the Court to the cited article for a full
14 and accurate statement of its contents.⁹⁹

15 272. The allegations contained in Paragraph 272 consist of Plaintiffs'
16 characterizations of an online news article, to which no response is required. To the extent that a
17 response is deemed required, Defendants respectfully refer the Court to the cited article for a full
18 and accurate statement of its contents.¹⁰⁰

19 273. Defendants lack knowledge or information sufficient to form a belief about the
20 truth of the allegations contained in the first and third sentences of Paragraph 273. Otherwise, the
21 allegations are denied except to admit that Peace Corps leadership has warned the agency's

22 ⁹⁸ Footnote 98 consists of a citation to an online news article, to which no response is
23 required. To the extent that a response is deemed required, Defendants respectfully refer the Court
24 to the cited article for a full and accurate statement of its contents.

25 ⁹⁹ Footnote 99 consists of a citation to an online news article, to which no response is
26 required. To the extent that a response is deemed required, Defendants respectfully refer the Court
27 to the cited article for a full and accurate statement of its contents.

28 ¹⁰⁰ Footnote 100 consists of a citation to an online news article, to which no response is
required. To the extent that a response is deemed required, Defendants respectfully refer the Court
to the cited article for a full and accurate statement of its contents.

employees that the agency expects to undergo a significant restructuring to further adjust operations and that downsizing of staff is a possibility.

- **Department of the Treasury**

274. The allegations contained in Paragraph 274 consist of Plaintiffs' characterizations of an online news article, to which no response is required. To the extent that a response is deemed required, Defendants respectfully refer the Court to the cited article for a full and accurate statement of its contents. Otherwise, Defendants lack knowledge or information sufficient to form a belief about the truth of the alleged leak or the nature of the "internal IRS memo."¹⁰¹

275. To the extent that the allegations in Paragraph 275 purport to reflect the content of Treasury's ARRP, Defendants neither admit nor deny the allegations because that information is protected by the deliberative-process privilege. To the extent that this Paragraph characterizes an online news article, no response is required, but to the extent a response is deemed required, Defendants respectfully refer the Court to the cited article for a full and accurate statement of its contents.¹⁰²

276. Denied, except to admit that the Treasury Department has not made any ARRPs public.

- **Veterans Affairs**

277. Defendant admit that on March 4, 2025, the Chief of Staff of the Department of Veterans Affairs issued the cited memorandum. Otherwise, the remaining allegations consist of Plaintiffs' characterizations of the memorandum, to which no response is required. To the extent

¹⁰¹ Footnote 101 consists of citations to two online news articles, to which no response is required. To the extent that a response is deemed required, Defendants respectfully refer the Court to the cited articles for a full and accurate statement of their contents.

¹⁰² Footnote 102 consists of a citation to an online news article, to which no response is required. To the extent that a response is deemed required, Defendants respectfully refer the Court to the cited article for a full and accurate statement of its contents.

1 that a response is deemed required, Defendants respectfully refer the Court to the cited
2 memorandum for a full and accurate statement of its contents.¹⁰³

3 278. The allegations contained in Paragraph 278 consist of Plaintiffs'
4 characterizations of an online news article discussing a television interview, to which no response
5 is required. To the extent that a response is deemed required, Defendants respectfully refer the
6 Court to the cited article for a full and accurate reflection of its contents.¹⁰⁴

7 279. To the extent that the allegations in Paragraph 279 purport to reflect the content
8 of the VA's ARRP, Defendants neither admit nor deny the allegations because that information is
9 protected by the deliberative-process privilege. To the extent that this Paragraph characterizes an
10 online news article, no response is required, but to the extent a response is deemed required,
11 Defendants respectfully refer the Court to the cited article for a full and accurate statement of its
12 contents. Otherwise, denied.¹⁰⁵

13 280. The allegations contained in Paragraph 280 consist of Plaintiffs'
14 characterizations of an online news article, to which no response is required. To the extent that a
15 response is deemed required, Defendants respectfully refer the Court to the cited article for a full
16 and accurate reflection of its contents.¹⁰⁶

17 281. Denied, except to admit that the VA has not made any ARRPs public.

18 ***

19
20 ¹⁰³ Footnote 103 consists of a citation to a memorandum composed by the Chief of Staff
21 of the VA, to which no response is required. To the extent that a response is deemed required,
22 Defendants respectfully refer the Court to the cited memorandum for a full and accurate statement
23 of its contents.

24 ¹⁰⁴ Footnote 104 consists of a citation to an online news article, to which no response is
25 required. To the extent that a response is deemed required, Defendants respectfully refer the Court
26 to the cited article for a full and accurate statement of its contents.

27 ¹⁰⁵ Footnote 105 consists of a citation to an online news article, to which no response is
28 required. To the extent that a response is deemed required, Defendants respectfully refer the Court
to the cited article for a full and accurate statement of its contents.

¹⁰⁶ Footnote 106 consists of a citation to an online news article, to which no response is
required. To the extent that a response is deemed required, Defendants respectfully refer the Court
to the cited article for a full and accurate statement of its contents.

1 282. Defendants admit that agency efforts to right-size their workforces aim to
2 effectuate the President's Workforce Executive Order. The allegations in the second sentence of
3 this Paragraph are legal conclusions and argument, to which no response is required. Otherwise,
4 denied.

5 283. Defendants lack knowledge or information sufficient to form a belief about the
6 truth of the allegations contained in Paragraph 283.

7 284. Admitted, except to deny that any agency had previously determined that the
8 challenged reductions would be inconsistent with agency mission, statutory obligations, or good
9 policy.

10 285. Denied.

11 286. Denied.

12 **V. Widespread Actual and Imminent Irreparable Harm**

13 287. The allegations contained in Paragraph 287 and Part V generally consist of
14 legal conclusions regarding whether the challenged conduct causes actual and irreparable harm.
15 No response is required as to those legal conclusions, but to the extent a response is deemed
16 required, the allegations are denied except as specifically admitted in the responses below to the
17 remaining paragraphs in Part V.

18 288. Denied, except to admit that Defendants did not allow an opportunity for public
19 comment before engaging in the challenged conduct.

20 289. Defendants lack knowledge or information sufficient to form a belief about the
21 truth of the allegations contained in Paragraph 289.

22 290. Denied.

23 291. Defendants lack knowledge or information sufficient to form a belief about the
24 truth of the allegations contained in Paragraph 291.

25 292. Defendants lack knowledge or information sufficient to form a belief about the
26 truth of the allegations contained in Paragraph 292.

27 293. Defendants lack knowledge or information sufficient to form a belief about the
28 truth of the allegations contained in Paragraph 293. Otherwise, denied.

1 294. The allegations in this Paragraph consist of legal conclusions to which no
2 response is required. Otherwise, denied.

3 295. The allegations in this Paragraph consist of legal conclusions to which no
4 response is required. Otherwise, denied.

5 296. The allegations in this Paragraph consist of legal conclusions to which no
6 response is required. Otherwise, denied.

7 297. The allegations in this Paragraph consist of legal conclusions to which no
8 response is required. Otherwise, denied.

9 298. The allegations in this Paragraph consist of legal conclusions to which no
10 response is required. Otherwise, denied.

11 • **USDA**

12 299. The allegations in this Paragraph consist of legal conclusions to which no
13 response is required. Otherwise, denied.

14 300. Defendants deny the allegations contained in the first sentence of Paragraph
15 300, and lack knowledge or information sufficient to form a belief about the truth of the remaining
16 allegations in this Paragraph.

17 301. Defendants deny the allegations of harm contained in Paragraph 301, and lack
18 knowledge or information sufficient to form a belief about the truth of the remaining allegations
19 in this Paragraph.

20 302. The allegations in this Paragraph consist of legal conclusions to which no
21 response is required. Otherwise, denied.

22 303. Defendants admit that the Department of Agriculture helps manage animal
23 hazards to air traffic and protect the food supply at food manufacturing facilities processing meat
24 and dairy products. Defendants lack knowledge or information sufficient to form a belief about the
25 truth of the remaining allegations in this Paragraph.

26 304. Defendants lack knowledge or information sufficient to form a belief about the
27 truth of the allegations contained in Paragraph 304.

1 305. Defendants lack knowledge or information sufficient to form a belief about the
2 truth of the allegations contained in Paragraph 305.

3 306. Defendants admit that the U.S. Forest Service has helped manage federal
4 wildland and mitigate against and fight wildfires. Defendants lack knowledge or information
5 sufficient to form a belief about the truth of the remaining allegations in this Paragraph.

6 307. Defendants lack knowledge or information sufficient to form a belief about the
7 truth of the allegations contained in Paragraph 307, except to admit that the Food Safety Inspection
8 Service helps keep the nation's meat supply free from disease and contamination.

9 • **AmeriCorps**

10 308. The allegations in Paragraph 308 consist of legal conclusions to which no
11 response is required. Otherwise, denied.

12 309. Defendants lack knowledge or information sufficient to form a belief about the
13 truth of the allegations contained in Paragraph 309.

14 310. The allegations in Paragraph 310 consist of legal conclusions to which no
15 response is required. Otherwise, Defendants lack knowledge or information sufficient to form a
16 belief about the truth of the allegations contained in Paragraph 310.

17 • **Department of Commerce**

18 311. The allegations in Paragraph 311 consist of legal conclusions to which no
19 response is required. Otherwise, denied.

20 312. Denied.

21 313. The allegations in Paragraph 313 consist of legal conclusions to which no
22 response is required. Otherwise, Defendants lack knowledge or information sufficient to form a
23 belief about the truth of the allegations contained in Paragraph 313.

24 314. The allegations in Paragraph 314 consist of legal conclusions to which no
25 response is required. Otherwise, denied.

26 315. Defendants lack knowledge or information sufficient to form a belief about the
27 truth of the allegations contained in Paragraph 315.

1 316. Defendants lack knowledge or information sufficient to form a belief about the
2 truth of the allegations contained in Paragraph 316.

3 **Department of Energy**

4 317. The allegations in Paragraph 317 consist of legal conclusions to which no
5 response is required. Otherwise, denied.

6 318. Defendants deny that any reductions will cause harm to the public. Defendants
7 lack knowledge or information sufficient to form a belief about the truth of the remaining
8 allegations in this Paragraph.

9 319. The allegations in Paragraph 319 consist of legal conclusions to which no
10 response is required. Otherwise, denied.

11 320. The allegations in Paragraph 320 consist of legal conclusions to which no
12 response is required. Otherwise, denied.

13 321. The allegations in the first sentence of Paragraph 321 consist of legal
14 conclusions to which no response is required. Defendants lack knowledge or information sufficient
15 to form a belief about the truth of the allegations in the second, third, and fourth sentences in this
16 Paragraph. The fifth and sixth sentences are admitted. As to the seventh sentence (beginning with
17 “On April 24, 2025”), admitted; however, a new project officer has been assigned and is in touch
18 with King County. Defendants lack knowledge or information sufficient to form a belief about the
19 truth of the remaining allegations in this Paragraph.

20 **Environmental Protection Agency**

21 322. The allegations in Paragraph 322 consist of legal conclusions to which no
22 response is required. Otherwise, denied.

23 323. Defendants lack knowledge or information sufficient to form a belief about the
24 truth of the allegations in this Paragraph regarding the effects of the challenged conduct on
25 Plaintiffs. Otherwise, denied.

26 324. The allegations in Paragraph 324 consist of legal conclusions to which no
27 response is required. Otherwise, denied.

1 325. Defendants lack knowledge or information sufficient to form a belief about the
2 truth of the allegations contained in Paragraph 325.

3 326. Defendants lack knowledge or information sufficient to form a belief about the
4 truth of the allegations contained in Paragraph 326.

5 327. Defendants lack knowledge or information sufficient to form a belief about the
6 truth of the allegations in this Paragraph regarding the effects of the challenged conduct on
7 Plaintiffs. Otherwise, denied.

8 328. Defendants lack knowledge or information sufficient to form a belief about the
9 truth of the allegations in this Paragraph regarding the effects of the challenged conduct on
10 Plaintiffs. Otherwise, denied, except to admit that EPA helps manage and implement the Federal
11 Insecticide, Fungicide, and Rodenticide Act.

12 329. Defendants lack knowledge or information sufficient to form a belief about the
13 truth of the allegations in this Paragraph regarding the effects of the challenged conduct on
14 Plaintiffs, and on that basis deny them. Otherwise, denied.

15 **General Services Administration**

16 330. The allegations in Paragraph 330 consist of legal conclusions to which no
17 response is required. Otherwise, denied.

18 331. Denied, except to admit that federal employees and visitors to federal office
19 buildings rely on GSA to help ensure health and safety in Federal buildings.

20 332. Defendants lack knowledge or information sufficient to form a belief about the
21 truth of the allegations contained in Paragraph 332.

22 • **Department of Health and Human Services**

23 333. Defendants admit that HHS issued RIF notices pursuant to EO 14210,
24 including to employees at FDA, CDC, NIH, and CMS, and that the CDC RIF notices included
25 employees at the National Center for Injury Prevention and Control, National Institute for
26 Occupational Safety and Health, Office of Health Equity, National Center on Birth Defects and
27 Developmental Disabilities, National Center for Environmental Health, and various CDC
28 laboratories—some of which were subsequently rescinded. Otherwise, denied.

1 334. The allegations in Paragraph 334 consist of legal conclusions to which no
2 response is required. Otherwise, denied.

3 335. Defendants lack knowledge or information sufficient to form a belief about the
4 truth of the allegations in this Paragraph regarding the effects of the challenged conduct on
5 Plaintiffs. Otherwise, denied, except to admit that CDC issued RIF notices—some of which were
6 subsequently rescinded—to employees across various offices, including certain employees who
7 worked on issues related to lead contamination or infectious disease outbreaks.

8 336. Denied, except to admit that RIF notices—some of which were subsequently
9 rescinded—were issued to certain employees who worked in screening and firefighter-safety
10 programs.

11 337. Defendants lack knowledge or information sufficient to form a belief about the
12 truth of the allegations in this Paragraph regarding the effects of the challenged conduct on
13 Plaintiffs, and on that basis deny them. Otherwise, denied.

14 338. The allegations in Paragraph 338 consist of legal conclusions to which no
15 response is required. Otherwise, denied.

16 339. Defendants admit that the CDC supports San Francisco’s public health efforts,
17 including through trainings, guidance, public health pipeline programs, transportation services for
18 rare but particularly infectious patients who cannot be treated at San Francisco’s public hospital,
19 reference lab services, and surveillance support. Otherwise, Defendants lack knowledge or
20 information sufficient to form a belief about the truth of the remaining allegations contained in
21 Paragraph 339.

22 340. Defendants lack knowledge or information sufficient to form a belief about the
23 truth of the allegations in this Paragraph regarding the effects of the challenged conduct on
24 Plaintiffs. Otherwise, denied, except to admit that CDC has issued RIF notices to employees who
25 contributed to certain national data-collection efforts.

26 341. Defendants lack knowledge or information sufficient to form a belief about the
27 truth of the allegations in this Paragraph regarding the nature of Plaintiffs’ operations and the
28 effects of the challenged conduct on Plaintiffs. Otherwise, denied.

342. Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this Paragraph regarding the effects of the challenged conduct on Plaintiffs. Otherwise, denied, except to admit that the CDC has previously sent experts in medicine, epidemiology, infection control, community mitigation, and communications to Santa Clara to work with Santa Clara's Emergency Operations Center and that CDC's sharing of information about disease outbreaks can assist localities in managing outbreaks.

343. Denied, except to admit that under emergency circumstances, government health officials can access medicine from the Strategic National Stockpile, which is administered and staffed by HHS's Administration for Strategic Preparedness and Response (ASPR).

344. Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this Paragraph regarding the nature of Plaintiffs' operations. Otherwise, denied, except to admit that NIOSH provides local governments with investigative support in fire safety.

- **Department of Housing and Urban Development**

345. The first sentence of this Paragraph consists of legal conclusions to which no response is required. Otherwise, denied.

346. The first sentence of this Paragraph consists of legal conclusions to which no response is required. Further, Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this Paragraph regarding the nature of Plaintiffs' operations. Otherwise, denied.

347. The allegations in this Paragraph consist of legal conclusions to which no response is required. Otherwise, denied.

348. Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this Paragraph regarding the nature of Plaintiffs' operations. Otherwise, denied.

349. Denied.

- **Department of Interior**

1 350. The allegations in this Paragraph consist of legal conclusions to which no
2 response is required. Otherwise, denied.

3 351. The allegations in this Paragraph consist of legal conclusions to which no
4 response is required. Otherwise, denied.

5 352. The allegations in this Paragraph consist of legal conclusions to which no
6 response is required. Otherwise, denied.

7 353. The allegations in this Paragraph consist of legal conclusions to which no
8 response is required. Further, Defendants lack knowledge or information sufficient to form a belief
9 about the truth of the allegations in this Paragraph regarding the nature of Plaintiffs' operations.
10 Otherwise, denied.

11 • **Department of Labor**

12 354. The allegations in this Paragraph consist of legal conclusions to which no
13 response is required. Otherwise, denied, except with respect to allegations regarding Labor's future
14 plans to the extent they refer to Labor's ARRPs, and except to admit that the Department of Labor
15 has eliminated the enforcement functions of Executive Order 11246 of the Office of Federal
16 Contract Compliance Programs (OFCCP). To the extent that allegations in this Paragraph purport
17 to reflect the content of Labor's ARRPs, Defendants neither admit nor deny the allegations because
18 that information is protected by the deliberative-process privilege.

19 355. The allegations in this Paragraph consist of legal conclusions to which no
20 response is required. Further, Defendants lack knowledge or information sufficient to form a belief
21 about the truth of the allegations in this Paragraph regarding the nature of Plaintiffs' operations.
22 Otherwise, denied.

23 356. The allegations in this Paragraph consist of legal conclusions to which no
24 response is required. Otherwise, denied.

25 **National Labor Relations Board**

26 357. The allegations in this Paragraph consist of legal conclusions to which no
27 response is required. Otherwise, denied.

1 358. Due to the vagueness of the allegations in the second sentence of this
2 Paragraph, Defendants lack knowledge or information sufficient to form a belief about the truth of
3 those allegations. Defendants admit that Plaintiffs AFSCME and SEIU regularly file unfair
4 practice charges at the NLRB. The remaining allegations of this Paragraph consist of legal
5 conclusions to which no response is required. Otherwise, denied.

6 • **National Science Foundation**

7 359. The allegations in this Paragraph consist of legal conclusions to which no
8 response is required. Otherwise, denied.

9 360. The allegations in this Paragraph consist of legal conclusions to which no
10 response is required. Otherwise, denied, except to admit that NSF has disestablished various
11 advisory committees.

12 • **OPM**

13 361. The allegations in this Paragraph consist of legal conclusions to which no
14 response is required. Further, Defendants lack knowledge or information sufficient to form a belief
15 about the truth of the allegations in this Paragraph regarding the nature of Plaintiffs' operations.
16 Otherwise, denied.

17 **Peace Corps**

18 362. The allegations in this Paragraph consist of legal conclusions to which no
19 response is required. Further, Defendants lack knowledge or information sufficient to form a belief
20 about the truth of the allegations in this Paragraph regarding the nature of Plaintiffs' operations,
21 and on that basis deny those allegations. Otherwise, denied.

22 • **Small Business Administration**

23 363. The allegations in this Paragraph regarding alleged harm consist of legal
24 conclusions to which no response is required. To the extent that allegations in this Paragraph
25 purport to reflect the content of SBA's ARRPs, Defendants neither admit nor deny the allegations
26 because that information is protected by the deliberative-process privilege. Otherwise, denied.

27 364. The allegations in this Paragraph regarding alleged harm consist of legal
28 conclusions to which no response is required. To the extent that allegations in this Paragraph

1 purport to reflect the content of SBA's ARRPs, Defendants neither admit nor deny the allegations
2 because that information is protected by the deliberative-process privilege. Otherwise, denied.

3 365. The allegations in this Paragraph regarding alleged harm consist of legal
4 conclusions to which no response is required. Further, Defendants lack knowledge or information
5 sufficient to form a belief about the truth of the allegations in this Paragraph regarding the nature
6 of Plaintiffs' operations. Otherwise, denied, except to admit that SBA's services include loans,
7 loan guarantees, grants, disaster relief, assistance connecting with government contracting
8 opportunities, a mentoring program, and a national network of Small Business Development
9 Centers that provide counseling and training to help entrepreneurs start their own businesses.

10 366. Defendants lack knowledge or information sufficient to form a belief about the
11 truth of the allegations in this Paragraph regarding the nature of Plaintiffs' operations. Otherwise,
12 denied, except to admit that at least one Small Business Development Center has already closed.

13 367. The allegations in this Paragraph regarding alleged harm consist of legal
14 conclusions to which no response is required. Otherwise, denied.

15 • **Social Security Administration**

16 368. The allegations in this Paragraph regarding alleged harm consist of legal
17 conclusions to which no response is required. To the extent that allegations in this Paragraph
18 purport to reflect the content of SSA's ARRPs, Defendants neither admit nor deny the allegations
19 because that information is protected by the deliberative-process privilege. Otherwise, denied.

20 369. The allegations in this Paragraph regarding alleged harm consist of legal
21 conclusions to which no response is required. Further, Defendants lack knowledge or information
22 sufficient to form a belief about the truth of the allegations in this Paragraph regarding the nature
23 of Plaintiffs' operations. Otherwise, denied.

24 370. The allegations in this Paragraph regarding alleged harm consist of legal
25 conclusions to which no response is required. Further, Defendants lack knowledge or information
26 sufficient to form a belief about the truth of the allegations in this Paragraph regarding the nature
27 of Plaintiffs' operations. Otherwise, denied.

28 • **State Department**

371. The allegations in this Paragraph regarding alleged harm consist of legal conclusions to which no response is required. To the extent that allegations in this Paragraph purport to reflect the content of the State Department's ARRs, Defendants neither admit nor deny the allegations because that information is protected by the deliberative-process privilege. Further, Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this Paragraph regarding the nature of Plaintiffs' operations. Otherwise, denied.

372. The allegations in this Paragraph regarding alleged harm consist of legal conclusions to which no response is required. To the extent that allegations in this Paragraph purport to reflect the content of the State Department's ARRs, Defendants neither admit nor deny the allegations because that information is protected by the deliberative-process privilege. Otherwise, denied.

- **Department of Transportation**

373. The allegations in this Paragraph consist of legal conclusions to which no response is required. To the extent that allegations in this Paragraph purport to reflect the content of the DOT's ARRs, Defendants neither admit nor deny the allegations because that information is protected by the deliberative-process privilege. Otherwise, denied.

374. The allegations in this Paragraph regarding alleged harm consist of legal conclusions to which no response is required. To the extent that allegations in this Paragraph purport to reflect the content of the DOT's ARRs, Defendants neither admit nor deny the allegations because that information is protected by the deliberative-process privilege. Further, Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this Paragraph regarding the nature of Plaintiffs' operations. Otherwise, denied.

375. The allegations in this Paragraph consist of legal conclusions to which no response is required. Further, Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this Paragraph regarding the nature of Plaintiffs' operations. Otherwise, denied.

- **Department of the Treasury**

1 376. The allegations in this Paragraph consist of legal conclusions to which no
2 response is required. To the extent that allegations in this Paragraph purport to reflect the content
3 of any ARRs, Defendants neither admit nor deny the allegations because that information is
4 protected by the deliberative-process privilege. Otherwise, denied.

5 377. To the extent that allegations in the first sentence of this Paragraph purport to
6 reflect the content of any ARRs, Defendants neither admit nor deny the allegations because that
7 information is protected by the deliberative-process privilege. The remaining allegations in this
8 Paragraph regarding alleged harm consist of legal conclusions to which no response is required.
9 Otherwise, denied.

10 378. The allegations in this Paragraph consist of legal conclusions to which no
11 response is required. Further, Defendants lack knowledge or information sufficient to form a belief
12 about the truth of the allegations in this Paragraph regarding the nature of Plaintiffs' operations.
13 Otherwise, denied.

14 379. Denied, except to admit that the Department of the Treasury is responsible for
15 disbursing certain payments to state and local governments.

16 • **Department of Veterans Affairs**

17 380. The allegations in this Paragraph consist of legal conclusions to which no
18 response is required. To the extent that allegations in this Paragraph purport to reflect the content
19 of the VA's ARRs, Defendants neither admit nor deny the allegations because that information
20 is protected by the deliberative-process privilege. Otherwise, denied.

21 381. The allegations in this Paragraph consist of legal conclusions to which no
22 response is required. Otherwise, denied.

23 382. The allegations in this Paragraph consist of legal conclusions to which no
24 response is required. Otherwise, denied.

25 383. The allegations in this Paragraph consist of legal conclusions to which no
26 response is required. Otherwise, denied.

27 384. Denied.

CLAIMS FOR RELIEF

Claim I:

Separation of Powers/*Ultra Vires*

Against Defendant President Donald J. Trump

385. Defendants repeat and incorporate by reference their responses to all preceding paragraphs above as though fully set forth herein.

386. The allegations contained in Paragraph 386 consist of legal conclusions to which no response is required.

387. The allegations contained in Paragraph 387 consist of legal conclusions and argument to which no response is required. To the extent that a response is deemed required, Defendants respectfully refer the Court to the cited authorities for a full and accurate statement of their contents.

388. The allegations contained in Paragraph 388 consist of legal conclusions and argument to which no response is required.

389. The allegations contained in Paragraph 389 consist of legal conclusions and argument to which no response is required. To the extent that a response is deemed required, Defendants respectfully refer the Court to the cited authorities for a full and accurate statement of their contents.

390. The allegations contained in Paragraph 390 consist of legal conclusions and argument to which no response is required. To the extent that a response is deemed required, Defendants respectfully refer the Court to Executive Order 14210 for a full and accurate statement of its contents. Otherwise, denied.

391. The allegations contained in Paragraph 391 consist of legal conclusions and argument to which no response is required. To the extent that a response is deemed required, Defendants respectfully refer the Court to the cited authorities for a full and accurate statement of their contents. Otherwise, denied.

Claim II:

Separation of Powers/*Ultra Vires*

Against Defendants OMB, OPM, USDS and their Directors

392. Defendants repeat and incorporate by reference their responses to all preceding paragraphs above as though fully set forth herein.

393. The allegations contained in Paragraph 393 consist of legal conclusions to which no response is required.

394. The allegations contained in Paragraph 394 consist of legal conclusions and argument to which no response is required. To the extent that a response is deemed required, Defendants respectfully refer the Court to the cited authorities for a full and accurate statement of their contents.

395. The allegations contained in Paragraph 395 consist of legal conclusions and argument to which no response is required. To the extent that a response is deemed required, Defendants respectfully refer the Court to the cited authorities for a full and accurate statement of their contents.

396. The allegations contained in Paragraph 396 consist of legal conclusions and argument to which no response is required. Otherwise, denied.

397. The allegations contained in Paragraph 397 consist of legal conclusions and argument to which no response is required. Otherwise, denied.

398. The allegations contained in Paragraph 398 consist of legal conclusions and argument to which no response is required. Otherwise, denied.

399. The allegations contained in Paragraph 399 consist of legal conclusions and argument to which no response is required. Otherwise, denied.

Claim III:

Administrative Procedure Act, 5 U.S.C § 706(2)(A) and (C)

Against Defendants OMB, OPM, USDS and their Directors

(Action Not in Accordance With Law and Exceeding Statutory Authority)

400. Defendants repeat and incorporate by reference their responses to all preceding paragraphs above as though fully set forth herein.

1 401. The allegations contained in Paragraph 401 consist of legal conclusions and
2 argument to which no response is required. Otherwise, denied.

3 402. The allegations contained in Paragraph 402 consist of legal conclusions and argument
4 to which no response is required. To the extent that a response is deemed required, Defendants
5 respectfully refer the Court to the cited statutory authority for a full and accurate statement of its
6 contents.

7 403. The allegations contained in Paragraph 403 consist of legal conclusions and
8 argument to which no response is required. To the extent that a response is deemed required,
9 Defendants respectfully refer the Court to the cited statutory authorities for a full and accurate
10 statement of their contents.

11 404. The allegations contained in Paragraph 404 consist of legal conclusions and
12 argument to which no response is required.

13 405. The allegations contained in Paragraph 405 consist of legal conclusions and
14 argument to which no response is required. Otherwise, denied.

15 406. The allegations contained in Paragraph 406 consist of legal conclusions and
16 argument to which no response is required.

17 407. The allegations contained in Paragraph 407 consist of legal conclusions and
18 argument to which no response is required. Otherwise, denied.

19 408. The allegations contained in Paragraph 408 consist of legal conclusions and
20 argument to which no response is required. To the extent that a response is deemed required,
21 Defendants respectfully refer the Court to the cited statutory authorities for a full and accurate
22 statement of their contents. Otherwise, denied.

23 409. The allegations contained in Paragraph 409 consist of legal conclusions and
24 argument to which no response is required. To the extent that a response is deemed required,
25 Defendants respectfully refer the Court to the cited statutory authorities for a full and accurate
26 statement of their contents.

27 410. The allegations contained in Paragraph 410 consist of legal conclusions and
28 argument to which no response is required. To the extent that a response is deemed required,

1 Defendants respectfully refer the Court to the cited statutory authorities for a full and accurate
2 statement of their contents. Otherwise, denied.

3 **Claim IV:**

4 **Administrative Procedure Act, 5 U.S.C § 706(2)(A)**

5 **Against Defendants OMB, OPM, USDS and their Directors**

6 **(Arbitrary and Capricious Agency Action)**

7 411. Defendants repeat and incorporate by reference their responses to all preceding
8 paragraphs above as though fully set forth herein.

9 412. The allegations contained in Paragraph 412 consist of legal conclusions and
10 argument to which no response is required. Otherwise, denied.

11 413. The allegations contained in Paragraph 413 consist of legal conclusions and
12 argument to which no response is required. To the extent that a response is deemed required,
13 Defendants respectfully refer the Court to the cited statutory authorities for a full and accurate
14 statement of their contents. Otherwise, denied.

15 414. The allegations contained in Paragraph 414 consist of legal conclusions and
16 argument to which no response is required. Otherwise, denied.

17 **Claim V:**

18 **Administrative Procedure Act, 5 U.S.C § 706(2)(D)**

19 **Against Defendants OMB, OPM, USDS and their Directors**

20 **(Notice and Comment)**

21 415. Defendants repeat and incorporate by reference their responses to all preceding
22 paragraphs above as though fully set forth herein.

23 416. The allegations contained in Paragraph 416 consist of legal conclusions and
24 argument to which no response is required. Otherwise, denied.

25 417. The allegations contained in Paragraph 417 consist of legal conclusions and
26 argument to which no response is required.

27 418. The allegations contained in Paragraph 418 consist of legal conclusions and
28 argument to which no response is required. To the extent that a response is deemed required,

1 Defendants respectfully refer the Court to the cited statutory authority for a full and accurate
2 statement of its contents.

3 419. The allegations contained in Paragraph 419 consist of legal conclusions and
4 argument to which no response is required. Otherwise, denied.

5 420. Denied, except to admit that neither OMB, OPM, nor USDS has provided notice
6 or opportunity for comment on any actions taken to implement the Executive Order.

7 421. The allegations contained in Paragraph 421 consist of legal conclusions and
8 argument to which no response is required. Otherwise, denied.

9 422. The allegations contained in Paragraph 422 consist of legal conclusions and
10 argument to which no response is required. Otherwise, denied.

11 **Claim VI:**

12 **Administrative Procedure Act, 5 U.S.C § 706(2)(A) and (C)**

13 **Against Federal Agency Defendants**

14 **(Action Not in Accordance With Law)**

15 423. Defendants repeat and incorporate by reference their responses to all preceding
16 paragraphs above as though fully set forth herein.

17 424. The allegations contained in Paragraph 424 consist of legal conclusions and
18 argument to which no response is required. Otherwise, denied.

19 425. The allegations contained in Paragraph 425 consist of legal conclusions and
20 argument to which no response is required. Otherwise, denied.

21 426. Defendants admit that each of the Federal Agency Defendants has created and
22 submitted an ARRP to OMB and OPM. To the extent that the allegations in this Paragraph purports
23 to reflect the content of those ARRPs, Defendants neither admit nor deny the allegations because
24 that information is protected by the deliberative-process privilege. Otherwise, denied.

25 427. The allegations contained in Paragraph 427 consist of legal conclusions and
26 argument to which no response is required. Otherwise, denied.

27 428. The allegations contained in Paragraph 428 consist of legal conclusions and
28 argument to which no response is required. To the extent that a response is deemed required,

Defendants respectfully refer the Court to the cited statutory authorities for a full and accurate statement of their contents.

429. The allegations contained in Paragraph 429 consist of legal conclusions and argument to which no response is required. Otherwise, denied.

Claim VII:

Administrative Procedure Act, 5 U.S.C § 706(2)(A)

Against Federal Agency Defendants

(Arbitrary and Capricious Agency Action)

430. Defendants repeat and incorporate by reference their responses to all preceding paragraphs above as though fully set forth herein.

431. The allegations contained in Paragraph 431 consist of legal conclusions and argument to which no response is required. Otherwise, denied.

432. The allegations contained in Paragraph 432 consist of legal conclusions and argument to which no response is required. Otherwise, denied.

433. Defendants admit that each of the Federal Agency Defendants has created and submitted an ARRP to OMB and OPM. To the extent that the allegations in this Paragraph purport to reflect the content of those ARRPs, Defendants neither admit nor deny the allegations because that information is protected by the deliberative-process privilege. Otherwise, denied.

434. The allegations contained in Paragraph 434 consist of legal conclusions and argument to which no response is required. Otherwise, denied.

[PLAINTIFFS'] PRAYER FOR RELIEF

The remainder of Plaintiffs' Second Amended Complaint consists of their prayer for relief to which no response is required. To the extent Plaintiffs' prayer for relief is deemed to contain factual allegations, Defendants deny those allegations and deny that Plaintiffs are entitled to any relief.

GENERAL DENIAL

Except to the extent expressly admitted or qualified above, Defendants deny each allegation contained in Plaintiffs' Second Amended Complaint.

AFFIRMATIVE DEFENSES

In further response to the Second Amended Complaint, Defendants allege as follows: Defendants reserve the right to assert affirmative defenses as their applicability is discovered throughout this case.

* * *

WHEREFORE, Defendants respectfully request that:

- (1) Plaintiffs are granted no relief;
- (2) The Second Amended Complaint be dismissed;
- (3) Judgment be entered in favor of Defendants;
- (4) Defendants be awarded their costs; and
- (5) the Court grant such further relief as it may deem proper.

1 DECEMBER 15, 2025

Respectfully submitted,

2 CRAIG H. MISSAKIAN
3 United States Attorney
4 U.S. ATTORNEY'S OFFICE
450 Golden Gate Avenue, Box 36055
San Francisco, California 94102-3495

5 ERIC J. HAMILTON (CABN 296283)
Deputy Assistant Attorney General

6 CHRISTOPHER HALL
Assistant Branch Director

7 *s/ Cesar Azrak*

8 CESAR AZRAK
9 MARIANNE F. KIES
Trial Attorneys
10 United States Department of Justice
Civil Division, Federal Programs Branch
11 1100 L Street, NW
Washington, DC 20005
Telephone: (202) 305-0693
12 cesar.e.azrak@usdoj.gov

13 *Counsel for Defendants*